

# **Exhibit A**

## Terms of Use

### PLEASE READ THESE TERMS OF USE CAREFULLY BEFORE USING THIS WEBSITE.

Last updated June 29, 2006

Triggerstreet.com, Inc. ("TSCI," "we," "our" or "us"), provides the Triggerstreet.com World Wide Web Site (the "Site," located at <http://www.triggerstreet.com>), together with the advertising and content on the Site and any related services (collectively, the "Services"), subject to your compliance with the terms and conditions set forth in this agreement ("Agreement"). By using the Site or the Services, you agree to be bound by these terms and conditions, our Privacy Policy, and any other agreement you are required to enter into with TSCI in conjunction with your participation in the Site. If you do not agree to these terms and conditions, please do not use the Site or the Services. This Agreement is made between TSCI and you, as a registered member or visitor ("you"). The words "you" or "your" shall also mean heirs, executors, administrators, successors and legal representatives. We reserve the right at any time to impose or change any fees or charges for use of the Site or Services, change the Site or the Services, including eliminating or discontinuing any content on or feature of any Site or change the terms of this Agreement. Any changes we make will be effective immediately on notice, which we may give by posting the revised Agreement on the Site. Your use of the Services after such notice will be deemed acceptance of such changes.

While using the Site and/or Services, you agree to comply with all applicable laws, rules and regulations. We have no obligation to monitor the Site or any materials that you transmit to the Site (including, without limitation, any submission or other material) and we expressly reserve the right to remove any materials from the Site at any time for any reason without notice. You acknowledge and agree that we have the right to monitor the Site and the materials you transmit, from time to time, and to disclose any information (including your personally identifiable information) to any third party in order to operate the Site properly; to protect TSCI, the Site, the Services, our sponsors, partners, affiliates, and our members and visitors; and to comply with any legal obligations, regulations, or governmental requests. TSCI may condition your right to participate on the Site or in the Services on your furnishing to TSCI and keeping updated at all times such personal identifying information as TSCI may require.

You may only have one active account on the Site at any given time and only you may use your designated account to access the Site (i.e., no member may have multiple accounts on the Site).

### RULES OF CONDUCT

While using the Site or the Services, you agree not to:

- Restrict or inhibit any other visitor or member from using the Site or the Services;



12 captures

10 Feb 2007 - 17 Jul 2011

<http://www.triggerstreet.com:80/gyrobase/Page?mode=print&oid=303>

Go

JAN FEB AUG
◀ 10 ▶
  
 2006 2007 2008

- Transmit any content or information that is unlawful, harmful, threatening, abusive, harassing, defamatory, libelous, vulgar, obscene, hateful, fraudulent or otherwise objectionable content, or infringes on our or any third party's intellectual property or other rights;
- Transmit any information, software, or other material that contains a virus, worm, time bomb or other harmful or disruptive component;
- Post or transmit chain letters or pyramid marketing schemes;
- Post or transmit unsolicited advertising, promotional materials, or other forms of solicitation;
- Modify, adapt, sublicense, translate, sell, reverse engineer, decompile or disassemble any portion of the Site, the Services, or the software underlying either of them, or modify any materials downloaded from the Site;
- Modify, copy, or tamper with any film or screenplay or any other content that you may access through the Site, or use any content that you might access through the Site or the Services for any reason other than reading, viewing, listening to or reviewing such screenplay or content;
- Collect, harvest or disclose information about other Site visitors or members without their consent;
- Do any act which interferes with or slows the operation of the Site or the Services;
- Use any application or other device or process to retrieve, index or reproduce or circumvent the navigational structure or presentation of the Site, the Services or their contents; or
- Use the Site or Services for any unlawful purpose.

## SUBMISSIONS

Any material (other than the Material [as defined and more fully addressed in the Triggerstreet Screenplay Forum Participation Agreement]) that you transmit to us or post anywhere on the Site or through the Services, including, without limitation, the Shorts, may be used by TSCI throughout the world in perpetuity for any purpose whatsoever, including, but not limited to, reproduction, disclosure, transmission, publication, broadcast, posting and sublicensing, and may be modified to enable or complement any such use; it being agreed that such uses may include, without limitation, display on the Anheuser Busch family of websites and inclusion on videodiscs prepared by CustomFlix Labs, Inc.

You shall not post, send or otherwise make us aware of any creative materials of any kind, apart from your submissions, if any, submitted in connection with a TSCI sponsored festival, contest or the Screenplay Forum section of the Site, such as stories or character ideas, titles, screenplays, songs, or original artwork (collectively, "unsolicited submissions"), unless you agree to our use thereof as described hereinabove. If you send us any unsolicited submissions despite your foregoing obligation not to do so, we take no responsibility and will have no liability with respect to the use by TSCI or any third party of such unsolicited submissions or any portion thereof. The TSCI Parties shall not be liable for any use or disclosure of any unsolicited submissions. By sending us unsolicited submissions you release, waive any claims with regard to, and hold harmless the TSCI Parties from and against any and all claims of any kind that are or could be



12 captures

10 Feb 2007 - 17 Jul 2011

<http://www.triggerstreet.com:80/gyrobase/Page?mode=print&oid=303>

Go

JAN FEB AUG
◀ 10 ▶
  
 2006 2007 2008

hereafter developed, for any purpose whatsoever. TSCI expressly reserves the right to remove any submissions or postings on the Site at any time for any reason.

## PROPRIETARY RIGHTS

The Site and the Services are owned and operated by TSCI and others pursuant to contractual arrangements. You acknowledge and agree that all content and materials available on the Site and in the Services are protected by copyrights, trademarks, service marks, patents, trade secrets, or other proprietary rights and laws. You agree not to sell, license, rent, modify, distribute, copy, reproduce, upload, post, transmit, publicly display, publicly perform, publish, adapt, edit, or create derivative works from such materials or content from the Site or the Services in any way. Modification or use of any materials contained on the Site or in the Services is a violation of TSCI's copyright and other proprietary rights, and is strictly prohibited. You acknowledge that you do not acquire any ownership rights by using the Site or the Services. The following trademarks: TRIGGERSTREET, and all associated logos, graphics, images and domain names, including, without limitation, TRIGGERSTREET.COM, are the trade names, trademarks, service marks, logos, and/or domain names of TSCI. You agree that you will not challenge the respective ownership rights of TSCI or any third party in or to the TSCI Marks or any third party marks, and that you will not register or attempt to register any trademark, service mark, logo, and/or domain name that is identical or confusingly similar to any of the TSCI Marks or third party marks contained on the Site or in the Services.

## PLEASE INDICATE YOUR ACCEPTANCE OF ALL OF THE ABOVE TERMS AND CONDITIONS BY ENTERING YOUR INITIALS BELOW:

## PROCEDURE FOR MAKING CLAIMS OF COPYRIGHT INFRINGEMENT

If you believe that your material has been copied and is accessible on the Site in a way that constitutes copyright infringement, you may notify TSCI at [inquiries@triggerstreet.com](mailto:inquiries@triggerstreet.com) by providing our copyright agent with the following information:

1. The electronic or physical signature of the owner of the copyright or the person authorized to act on the owner's behalf;
2. A description of the copyrighted work that you claim has been infringed and a description of the infringing activity;
3. Identification of the location where the original or an authorized copy of the copyrighted work exists, for example the URL of the website where it is posted or the name of the book in which it has been published;
4. Identification of the URL or other specific location on this site where the material that you claim is infringing is located; you must include enough information to allow us to locate the material;
5. Your name, address, telephone number, and email address; and
6. A statement by you that you have a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law; and

## PRIVACY POLICY

We require you to read our Privacy Policy, which (in addition to this Agreement and any other agreement by which you may be bound) sets out how we collect and use any information you submit to TSCI or through the Site or the Services. You must be at least 18 years old to register to use this Site or the Services.

## INTERNATIONAL USE

Unless otherwise specified, the materials on the Site and in the Services are presented solely for the purpose of promoting the entertainment, information, and community resources and services available in, and other uses in, the United States of America. We control and operate the Site and the Services from within the United States. We make no representation that materials on the Site or the Services are appropriate or available for use in locations outside the United States, and accessing them from territories where their contents are illegal is prohibited. Those who choose to access the Site from other locations do so on their own initiative and are responsible for compliance with local laws.

## SUSPENSION AND TERMINATION

TSCI reserves the right, in its sole discretion, to suspend or terminate your access to all or part of the Site or the Services, at any time, with or without notice.

## DISCLAIMERS

YOU EXPRESSLY AGREE THAT USE OF THE SITE AND THE SERVICES ARE AT YOUR SOLE RISK. THE SITE AND THE SERVICES ARE PROVIDED ON AN "AS IS" AND "AS AVAILABLE" BASIS. TSCI PROVIDES NO ASSISTANCE INCLUDING, WITHOUT LIMITATION, ANY TECHNICAL OR CUSTOMER SUPPORT.

TSCI MAKES NO WARRANTY THAT THE SITE OR THE SERVICES WILL MEET YOUR SYSTEM'S REQUIREMENTS, OR THAT THE SITE OR THE SERVICES (OR THE SERVERS THAT MAKE THEM AVAILABLE) WILL BE UNINTERRUPTED, TIMELY, SECURE, ERROR FREE OR FREE OF HARMFUL COMPONENTS; NOR DOES TSCI MAKE ANY WARRANTY AS TO THE RESULTS THAT MAY BE OBTAINED FROM THE USE OF THE SITE OR THE SERVICES OR AS TO THE ACCURACY OR RELIABILITY OF ANY INFORMATION OBTAINED THROUGH THE SITE OR THE SERVICES OR THAT DEFECTS IN THE SITE OR THE SERVICES WILL BE CORRECTED.

TSCI EXPRESSLY DISCLAIMS ALL WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF TITLE, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT. YOU UNDERSTAND AND AGREE THAT ANY MATERIAL AND/OR DATA DOWNLOADED OR OTHERWISE OBTAINED THROUGH THE USE OF THE SITE OR THE SERVICES IS DONE AT YOUR OWN DISCRETION AND RISK AND THAT YOU WILL BE SOLELY RESPONSIBLE FOR ANY DAMAGE TO YOUR COMPUTER SYSTEM OR LOSS OF DATA THAT RESULTS FROM THE DOWNLOAD OF SUCH MATERIAL AND/OR DATA.

READER, OR THAT SUCH MATERIAL IS FREE OF OFFENSIVE, INDECENT, OBSCENE, DEFAMATORY OR OTHER POTENTIALLY INAPPROPRIATE ELEMENTS. YOU ACKNOWLEDGE THAT WE DO NOT AND CANNOT REVIEW AND MONITOR CONTENT ON THE SITE OR IN THE SERVICES, AND YOU HEREBY AGREE THAT WE SHALL HAVE NO LIABILITY FOR ANY DAMAGES OR COSTS THAT MAY ARISE FROM OUR PUBLICATION OR YOUR VIEWING OR READING OF, EXPOSURE TO, OR ACCESS TO ANY FILM, POSTING, SCREENPLAY OR OTHER CONTENT ON THE SITE OR THE SERVICES.

THE SITE AND SERVICES MAY CONTAIN LINKS TO THIRD-PARTY SITES. THOSE THIRD-PARTY SITES ARE NOT UNDER THE CONTROL OF TSCI AND TSCI IS NOT RESPONSIBLE FOR THE CONTENT ON ANY LINKED SITE. IF YOU ACCESS A THIRD-PARTY SITE FROM OUR SITE, THEN YOU DO SO AT YOUR OWN RISK. THE INCLUSION OF THE LINK DOES NOT IMPLY THAT WE ENDORSE OR ACCEPT ANY RESPONSIBILITY FOR THE CONTENT ON THOSE THIRD-PARTY SITES.

TSCI MAKES NO WARRANTY REGARDING ANY GOODS OR SERVICES PURCHASED OR OBTAINED THROUGH THE SITE OR THE SERVICES OR ANY TRANSACTIONS ENTERED INTO THROUGH THE SERVICE OR BY WAY OF THE SERVICES. NO ADVICE OR INFORMATION, WHETHER ORAL OR WRITTEN, OBTAINED BY YOU FROM TSCI OR THROUGH THE SITE OR THE SERVICES SHALL CREATE ANY WARRANTY NOT EXPRESSLY MADE HEREIN.

SOME JURISDICTIONS DO NOT ALLOW THE EXCLUSION OF CERTAIN WARRANTIES, SO SOME OF THE ABOVE EXCLUSIONS MAY NOT APPLY TO YOU.

## LIMITATION OF LIABILITY

UNDER NO CIRCUMSTANCES SHALL TSCI, ITS LICENSEES, SUCCESSORS, ASSIGNS, RELATED OR AFFILIATED ENTITIES, ADVERTISERS, SPONSORS, PROVIDERS, CONTRACTORS, CONSULTANTS OR PROFESSIONAL ADVISORS OR THE PARENT, SUBSIDIARY OR AFFILIATED COMPANIES OF EACH OF THEM AND ANY OF ITS OR THEIR EMPLOYEES, OFFICERS, DIRECTORS, MEMBERS, SHAREHOLDERS, REPRESENTATIVES OR AGENTS (THE "TSCI PARTIES") BE LIABLE FOR ANY DIRECT, INDIRECT, PUNITIVE, INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES THAT RESULT FROM THE USE OF, OR INABILITY TO USE, THE SITE OR THE SERVICES. THIS LIMITATION APPLIES WHETHER THE ALLEGED LIABILITY IS BASED ON CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR ANY OTHER BASIS, EVEN IF TSCI HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE. TO THE EXTENT SOME JURISDICTIONS DO NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES, THE TSCI PARTIES' LIABILITY IN SUCH JURISDICTIONS SHALL BE LIMITED TO THE EXTENT REQUIRED BY LAW.

## INDEMNIFICATION

You shall be fully responsible for any violation of this Agreement or of any other agreement between you and TSCI (including, but not limited to, the Privacy Policy, and any other agreement). You agree to defend, indemnify, and hold harmless the TSCI Parties from all liabilities, claims, and expenses, including attorneys' fees that arise from your use or misuse of the Site or the Services. TSCI reserves the right to assume the exclusive defense and control of

## GOVERNING LAW

This Agreement, the Privacy Policy and any other agreement between you and TSCI shall be governed by and construed in accordance with the laws of the State of California, United States of America, excluding its conflicts of law rules. In the event of any dispute arising out of or in connection with your use of the Site or the Services, such dispute shall be submitted to arbitration in the County of Los Angeles, State of California, United States of America in accordance with the rules and regulations of the American Arbitration Association then in effect (as amended herein), provided that said arbitration shall be heard before a single arbitrator, selected pursuant to such rules and regulations, and shall be conducted on an expedited basis and in confidence. Each party hereby waives any and all rights and benefits which it might otherwise have or be entitled to under United States federal law or the laws of the State of California, United States of America or any other state or country to litigate any such dispute in court, it being the intention of the parties to arbitrate, according to the provisions of this Agreement, all such disputes. The arbitrator's decision shall be controlled by the terms and conditions of this Agreement and any other agreements you may enter into with TSCI, and shall be final and binding, and shall provide for each party to bear its own costs of arbitration and attorneys' fees. Each party expressly waives any right to a jury. Judgment upon the award of the arbitrator may be entered or enforced in any court of competent jurisdiction. If either party shall fail to appear at the hearing on the date designated in accordance with the rules of the American Arbitration Association, or shall otherwise fail to participate in the arbitration proceeding, the arbitrator is hereby empowered to proceed ex parte. In the event of any dispute concerning this Agreement or any other agreement between you and TSCI, your sole and exclusive remedy shall be to seek damages pursuant to an arbitration authorized herein, and in no event will you be entitled to seek rescission, or injunctive or other equitable relief. If you do not agree to these requirements (or any other provision herein), do not use the Site or the Services.

## SEVERABILITY AND INTEGRATION

This Agreement, together with any agreement referred to herein (including the Privacy Policy) and any other agreement between you and TSCI, constitutes the entire agreement between you and TSCI with respect to the Site and the Services and supersedes all prior or contemporaneous communications and proposals (whether oral, written, or electronic) between you and TSCI with respect to the Site and the Services. If any part of this Agreement is held invalid or unenforceable, that portion shall be construed in a manner consistent with applicable law to reflect, as nearly as possible, the original intentions of the parties, and the remaining portions shall remain in full force and effect.

## MISCELLANEOUS

This Agreement is not assignable or otherwise transferable by you, and any such transfer, assignment or sublicense shall be null and void. No agency, partnership, joint venture or employment relationship between you and TSCI is intended or created by this Agreement. No waiver by either party of any breach or default hereunder shall be deemed to be a waiver of any preceding or subsequent breach or default. Any heading, caption or paragraph title contained in this Agreement is inserted only as a matter of convenience and in no way defines or explains any paragraph or provision hereof. Any notifications or other communications that we undertake to send to you hereunder will be deemed conclusively given if sent to the email address submitted as part of your registration with TSCI. If such email address does not function, TSCI

clicking "I AGREE" or similar buttons provided in conjunction with any such agreement, your submission of any agreement with your initials and/or name entered into a box provided for that purpose together with the agreement, and/or your registration to use the Site or the Services governed by this Agreement, shall constitute your electronic signature and, according to the provisions of federal law (including, without limitation, copyright law), shall be of the same effect as if you had signed such agreement manually. Your access and use of the Site or the Services also constitutes your acceptance of this Agreement. Upon our request, you agree to sign a non-electronic version of this Agreement. A printed version of this Agreement and/or of any notice given in electronic form shall be admissible in judicial, administrative, or arbitration proceedings based upon or relating to this Agreement to the same extent and subject to the same conditions as other business documents and records originally generated and maintained in printed form.

**NOTICE FOR CALIFORNIA USERS:** California Civil Code Section 1789.3 entitles California users to the following specific consumer rights notice: The Complaint Assistance Unit of the Division of Consumer Services of the California Department of Consumer Affairs may be contacted in writing at 400 R. Street, Sacramento, CA 95814 or by telephone at (916) 445-1254.

**PLEASE INDICATE YOUR ACCEPTANCE OF ALL OF THE ABOVE TERMS AND CONDITIONS BY ENTERING YOUR INITIALS BELOW:**

# **Exhibit B**

SEARCH

Short Films

▼ Go

[Create an account](#) | [Login](#)

- UPDATES
- TRIGGER DIGEST
- INDUSTRY NEWS
- HALL OF JUSTICE



## About Us

Trigger Street Productions, Inc., was formed in 1997 by Kevin Spacey to develop and produce entertainment in a variety of mediums.

Realizing that the path to his own success would have been much rockier without the support and encouragement of many outstanding mentors, Spacey has sought out a way to inspire, nurture, and help bring exposure to new and undiscovered talent. If you are in a position to help others, if you find yourself in the building of life and you can send the elevator back down, that becomes your earnest duty. This philosophy has become the catalyst for the second step of his vision - TriggerStreet.com.

TriggerStreet.com was founded in January 2002 as the web-based filmmaker and screenwriter's community of record - an interactive mechanism for the purpose of discovering and showcasing new and unique talent. Based on the principles of creative excellence, it provides industry access and exposure to help build the careers of notable new filmmakers and screenwriters of our day.

Our mission is to encourage the creative process of filmmaking and screenwriting by providing hands on, peer-to-peer, objective criticism and letting the material be judged on its own merit. We offer an engaging avenue of exploration for both first time and veteran film directors, writers, and enthusiasts, anyone at all, who is attempting to bring his or her vision to the screen.

Our team has been extensively researching and designing TriggerStreet.com to ensure that it encapsulates every aspect of the user's desires and needs. We are using the Internet with its initial intention and design in mind: a tool to communicate. As such a constructive tool, we hope that it will be an inventive, productive, and exciting experience for all.

Welcome to TriggerStreet.com.



### Quote Of The Day

*"In life it is more necessary to lose than to gain. A seed will only germinate if it dies."*  
- Boris Pasternak

# **Exhibit C**



90 captures

12 Jul 2006 - 10 Aug 2011

<http://www.triggerstreet.com:80/gyrobase/Page?oid=304>


DEC FEB MAY

09

2006 2007 2008

SEARCH


[Create an account](#) | [Login](#)

- UPDATES
- TRIGGER DIGEST
- INDUSTRY NEWS
- HALL OF JUSTICE

## Privacy Policy

Last updated November 4, 2002

Triggerstreet.com, Inc. ("TSCI" or "we," "us" or "our") respects the privacy rights of our online visitors and members and recognizes the importance of protecting the information collected about you. We have adopted this online privacy policy (our "Policy") that guides how we collect, store and use the information you provide online through your participation on the World Wide Web site located at <http://www.triggerstreet.com> (the "Site") and any related services (collectively, the "Services").

### Information Collection and Use

We are the sole owner of the information collected on the Site unless specifically stated otherwise. We will not sell, share, or rent this information to others in ways different from what is disclosed in our Policy. We collect information from our users at several different points on the Site. When registering to become a member of the Site, we may need you to provide your name, email address, mailing address, phone number, fax number and other personally identifiable and non-personally identifiable information. Members of the Site must create a user name and password. This information, among other things, allows us to keep a user profile that we may use to monitor or improve the use and satisfaction of the Site and to customize the Site. Although certain parts of the Site allow you to use them without submitting any personally identifiable information, some areas, such as participation in certain contests or the submission of material, chat areas, bulletin boards and other specialized sections of the Site, do require registration and/or your submitting personally identifiable information. We also collect non-personally identifiable information, such as certain demographic information, for users of the Site. We use non-personally identifiable information to build a more useful Site and better Services by examining the collective characteristics and behavior of the Site's users, and by measuring demographics and interests regarding specific areas of the Site and the Services. We also may provide statistical information based on this data to our current and future entertainment and sponsorship partners and strategic alliances.

### Information Disclosure

We reserve the right to disclose information submitted by or concerning any user as we feel is necessary to protect our systems or business. Specifically, but without limitation, we reserve the right to disclose such information when a visitor or member is in violation of our Terms of Use or any other agreement with us, or engages (or is suspected of engaging) in any harmful, infringing or illegal activity; any threatening or abusive behavior or in any manipulation of the Site or the Services including, without limitation, to law enforcement agencies for investigation or prosecution. You hereby agree that we may disclose such information in connection with such events and/or concerns, with or without a subpoena, warrant, or other court order, and that we may disclose such information in response to court and governmental orders, civil subpoenas, discovery requests and as otherwise required by law, as well as in response to allegations of infringement or as we feel may be required to protect TSCI, the Services, the Site, our users, or other third parties. We also reserve the right to suspend or terminate your membership in connection with any suspected illegal, infringing, or inappropriate activity.

Subject to the foregoing, TSCI may use your personally identifying information: (1) to customize various aspects of the Site and the Services to your preferences; (2) to determine which advertisements or sponsor messages will be served to your browser; (3) to send you announcements, updates, and other third party materials that we feel may be of interest to you (you may "opt out" of receiving these

### Quote Of The Day

*"In life it is more necessary to lose than to gain. A seed will only germinate if it dies."*  
- Boris Pasternak





90 captures

12 Jul 2006 - 10 Aug 2011

<http://www.triggerstreet.com:80/gyrobase/Page?oid=304>

DEC FEB MAY  
09 ▶  
 2006 2007 2008

advertisement and development partners and strategic alliances; and (2) TSCI's contractors, consultants, and professional advisors to the extent necessary for them to perform services on our behalf, and only under disclosure restrictions.

Notwithstanding anything contained herein, because the Site is "powered by" Brink Media, Inc. and DesertNet, LLC, and is hosted by RealNetworks, Inc., TSCI will disclose both personally identifiable and non-personally identifiable information to Brink Media, Inc., DesertNet, LLC and RealNetworks, Inc. In addition, we may partner or otherwise contract with other parties to provide specific services. When you sign up for these services we will share names, or other contact information that is necessary for the third party to provide these services; provided that these parties are not allowed to use personally identifiable information except for the purpose of providing these services.

#### User Names and User Disclosure

The user name you select or are provided with upon registration with the Site is deemed non-personally identifiable information. Your user name may be published on the Site and may be disclosed to others, including, without limitation, to the public, and to any third parties with whom we elect to share such information. In addition, if you include your name or any other personally identifying information in any material transmitted or posted on public areas of the Site or the Services (including, without limitation, message boards, reviews and chat rooms), such information will become public information and will be published on the Site and will be disclosed to other users of the Site and to other third parties who may have access to or otherwise see a display of such information. You hereby release, waive any claims against, and hold harmless TSCI and its related or affiliated entities, as well as all of its and their respective partners, parent, members, subsidiaries, affiliates, sponsors, officers, directors, shareholders, representatives, agents, contractors, consultants, and professional advisors and any of their employees, from and against any and all claims relating to such disclosure, sharing, or publication.

#### Festivals, Contests, Submissions and Promotions

When you enter a festival, contest, submission or other promotional feature, we may again ask for your name, address, email address, user name, password, and other various submission information, demographic information and consumer preferences so that we are able to, for example, properly administer the festival and notify winners. We reserve the right in our sole discretion to sell, trade or otherwise transfer outside TSCI personally identifiable information that users voluntarily provide in any registration or festival, contest or material submission. In connection with TSCI's festivals, contests, submissions or other promotions, TSCI may post relevant privacy information in the official rules, and/or in the registration area or another area on the Site for the festival, contest, promotion or submission. That privacy information, to the extent it conflicts with our Policy, will govern that particular promotion, festival, contest or submission.

#### Cookies

A cookie is a piece of data stored on the user's hard drive containing information about the user. Usage of a cookie is in no way linked to any personally identifiable information while on the Site. Once the user closes their browser, the cookie simply terminates. For instance, by setting a cookie on the Site, you would not have to log in a password more than once, thereby saving time while on the Site. If you reject the cookie, you may still use the Site, however, you will be limited in some areas of the Site. Cookies can also enable us to track and target the interests of our users to enhance the experience on the Site. Some of our business partners use cookies on the Site (for example, advertisers). However, we have no access to or control over these cookies. Most browsers will allow you to erase cookies from your computer hard drive, block acceptance of cookies, or receive a warning before a cookie is stored.

#### Log Files

We use IP addresses to analyze trends, administer the Site and the Services, track user movement, and gather broad demographic information for aggregate use.

#### Information Access, Review and Updating



90 captures

12 Jul 2006 - 10 Aug 2011

<http://www.triggerstreet.com:80/gyrobase/Page?oid=304>

Go

DEC FEB MAY  
 09  
 2006 2007 2008

### Third Party Uses and Links

TSCI cannot and does not assume any responsibility for any actions of any third parties, including their use of information received either from TSCI through the Site, the Services or independently. The Site and the Services may contain links to other World Wide Web sites. We are not responsible for the privacy practices or the content of such other web sites. You are encouraged when you leave the Site and to read the privacy statements and terms of use of all websites to which you are linked. Our Policy applies solely to information collected by TSCI on the Site and through the Services.

### Security

When you submit information via the Site, your information is protected using secure data networks protected by industry standard firewall and password protection systems. Our security practices and policies are periodically reviewed and updated as necessary, and only authorized individuals have access to the information provided by our users. You are ultimately responsible for the security of your user name and password. If you have any questions about the security at the Site, you can send an email to [inquiries@triggerstreet.com](mailto:inquiries@triggerstreet.com).

### Choice/Opt-out

You may choose to "opt out" of receiving promotional or other certain materials from TSCI and/or its affiliates, advertisers, or other business partners at any time by checking any "opt-out" boxes that may be provided during the registration process. You may also contact third parties directly. Users will not be able to "opt out" of receiving certain email messages from us that are important to your use of the Site or the Services.

### Consent

By using the Site or the Services, you signify your assent to our Policy. If you do not agree to our Policy, please do not use the Site or the Services. We reserve the right to make changes in our Policy at any time. Amendments to our Policy will be posted at this URL and will be effective when posted. Please check our Policy regularly to ensure you are aware of any changes in our privacy practices. Your continued use of the Site or the Services will signify your acceptance of the changes to our Policy. If you have any questions regarding our Policy, please email us at [inquiries@triggerstreet.com](mailto:inquiries@triggerstreet.com).

# **Exhibit D**

## Amazon Studios

- [Sign in](#)
- [Register](#)



Submit

Get your movie or series idea considered by Amazon Studios

Movies

- [Submit a script](#)
- [Submit a video](#)

Series

- [Submit a drama series idea](#)
- [Submit a comedy series idea](#)
- [Submit a children's series idea](#)



Create

Amazon Storybuilder

- [Outline your movie or TV script](#)

Amazon Storywriter

- [Write your movie or TV script](#)



Review

Help us decide which movies and TV shows to make

[See our latest projects and weigh in now](#)

Movies

- [All movie projects](#)

Series

- [Original series](#)
- [All series projects](#)



Search

Projects and People

[Forums](#) > [The Commissary Forum](#) > Trigger Street Labs website for writers going away

# Trigger Street Labs website for writers going away

1-12 of 12 posts

Sort:

Oldest first

|

Page: 1



**Russell Corey** says:

## Notable Projects

Sad to see this posted on the Trigger Street Labs website. I loved using this site to get feedback on scripts and crafting drafts. I will miss it so much.

Announcement:

To all members of the Trigger Street Labs community:

After twelve incredible years as one of the leaders in being a platform for exposure and discovery of your creative content, we will be shutting down the site effective early January of next year. All users will be able to download their reviews, and save whatever content they need to prior to the shutdown. You can do this through your profile page. We care a great deal about giving you the opportunity to showcase your work, and we did our best to provide you with the most intuitive and creative platform possible.

We would like to extend our gratitude to all of our amazing users who have supported us, given feedback and advice, and allowed us to build a better site over the years. If it weren't for the community, the site would not be what it is today

Furthermore, a deepest thanks goes out to our moderators who have spent their precious free time ensuring the site remain an asset for creative individuals seeking exposure for their content.

We had an amazing ride. Thank you so much for your participation over the years.

Announcement link here.

- Trigger Street Productions

**Reply to this post**

Posted on: November 06, 2014 04:14 PM PST



**Phil Hwang** says:

I used this site off and on over the years. Recently, it had changed its format and was difficult to navigate.

Now, I use Talentville to vet my screenplays. It's always a mixed bag, but it feels like the only alternative to paid feedback.

**Reply to this post**

Posted on: November 07, 2014 01:59 PM PST



**Lauri** says:

There's also Zoetrope for freebies.

But there's nothing wrong with paid feedback. :)

**Reply to this post**

Posted on: November 07, 2014 06:30 PM PST



**Eric Christopherson** says:

Nothing wrong with trusting your own judgment for that matter.

**Reply to this post**

Posted on: November 07, 2014 06:54 PM PST



**Lisa Scott** says:

never trust your own judgement fully. every writer needs an editor. seasoned writers need editors. wannabe writers even more so.

**Reply to this post**

Posted on: November 08, 2014 04:03 AM PST



**Tom Gilman** says:

This site never was about the writers. Dean and a few others used the writers, their scripts and stories as a cover to gain exposure for themselves. In any case, it was poorly managed; and much of the day to day business was left up to a select group of writers and readers so Brunetti and the others could go pursue their pet projects and ignore the site. But thanks to good peer reviewers I gained a lot of experience and knowledge from other members, but never from the site managers who couldn't be bothered to deal directly with the members. Try Zoetrope, which is run far better.

**Reply to this post**

Posted on: February 08, 2015 09:37 PM PST



**terror Tv** says:

Sad? What has triggerstreet ever done for anybody???

Let me tell you what triggerstreet was all about:

- 1) Dana Brunetti used it to acquire enough funds to promote movies. Now that he's there triggerstreet is dust in the wind
- 2) Name ONE person who got their big break from the site?? Any one? I think not!
- 3) Youtube made more people famous, more money than Trigger ever hoped.
- 4) They came to be leaders in what? They stated they are one of the tops leaders in help young talent. Yeah I think not!
- 5) Triggerstreet used people dreams, hopes, etc to make money!! That's the cold hard truth
- 6) And I know this to be a fact. They "adjusted" your internet traffic reports to continue sponsorship from Budweiser.

I say good riddens

**Reply to this post**

Posted on: February 10, 2015 08:29 AM PST



**Jack Hudkins** says:

Terror, thanks for posting the truth. Many of these sites feed off peoples hope. If some make it, then good deal.

**Reply to this post**

Posted on: February 10, 2015 10:07 AM PST

**In response to an earlier post preview this post**



**Ralph Wescott** says:

Trigger Street, like any site, including AS here, is what we & they make it. Success on TS, large or small, is mentioned in their Success section -- Pages of them. I'd say any member using the site learned something while there, or at least entertained themselves. Oh yes, it was on TS that I learned of other sites, (AS for one) contests, books, movie equipment, etc. Without them, I'd still be dreaming and complaining of the stories stuck in my mind and having no idea how to get it into a close resemblance of the screenplay format, let alone all the peoples input on how to use the computer. Just my two cents from another wannabe writer/movie maker.

**Reply to this post**

Posted on: February 10, 2015 04:53 PM PST



**Ed Ellis** says:

\*riddance.

And it did help some of us. I, for one was optioned as a result of the site. Bitter is a sad pill.

**Reply to this post**

Posted on: December 29, 2015 06:14 PM PST

**In response to an earlier post preview this post**



**Nathan Mills** says:

For a short time it seemed, TS was also a platform for novelists too. I got great feedback on early drafts of my manuscripts.

**Reply to this post**

Posted on: May 24, 2016 04:32 PM PDT



**Paul Chironi** says:

Honestly, when TriggerStreet was at its height (before the great "memory dump" of 2007) nothing came close to it.

The peer review/Script of the Month/top three scripts get free reviews by ScriptShark all for free has never been matched anywhere.

Granted, Amazon Studios crushed everyone when they started with cash prizes, but not so much in terms of feedback.

And, as corny as it sounds, I thought the "Hall of Justice" was pretty cool.

So -- thanks again Kevin and Dana -- it was a cool ride.

**Reply to this post**

Posted on: May 25, 2016 04:30 PM PDT

< Previous | Page: 1 | Next >

[Sign in to post](#)

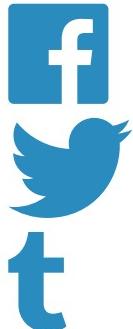
## Our Development Slate

- [\*\*Movies\*\*](#)
- [\*\*Drama Series\*\*](#)
- [\*\*Comedy Series\*\*](#)
- [\*\*Kids Series\*\*](#)
- [\*\*Preschool Series\*\*](#)

## Resources

- [\*\*Help\*\*](#)
- [\*\*Contact Us\*\*](#)
- [\*\*Forums\*\*](#)
- [\*\*Jobs\*\*](#)

## Connect with us



© 2010-2017 Amazon.com, Inc. or its affiliates

[\*\*Conditions of Use\*\*](#)

[\*\*Privacy Notice\*\*](#)

[\*\*Amazon Studios\*\*](#)

# **E**xhibit **E**

## Records Request

Steve

Tue 4/15/2014 12:23 AM

Sent Items

To:Operations@TriggerStreet.com <operations@triggerstreet.com>;

Dear TriggerStret Operations,

My name is Steve Wilson Briggs, (TS member name "birdynumnum"; member since June 10, 2004). I'm the Plaintiff in a copyright suit concerning a screenplay I posted on TriggerStreet.com in 2007, called Butterfly Driver. I posted the script 3-6 times from January to August of 2007. I'm contacting you to request all records of every member who accessed my work during that timeframe (01/01/2007 to 08/31/2007). I'd also like to receive ALL communication records you have between myself and other TS members on your public and private comments, posts and message boards. Please, let me know at your earliest convenience how soon I can expect this information and what I can do accelerate things. I'm sorry for any inconvenience this request creates. Thanks so much.

Steve Wilson Briggs

# **Exhibit**

**F**

## Re: Records Request

### TS Operations

Tue 4/15/2014 10:14 AM

To: Steve <birdynumnumz@hotmail.com>;

Unfortunately, once your submission is deleted from the site all records are deleted as well. The only thing you do have are your reviews and comments on your profile page, in addition to your forum posts.

-Operations

--

TS Operations  
Trigger Street Productions

On Tuesday, April 15, 2014 at 12:23 AM PDT, Steve wrote:

| Butterfly Driver

# **Exhibit G**



Just In...

**9/11 recovery worker facing deportation: report**

BLOG BRIEFING ROOM  
— 2H 52M AGO

**London police: Vehicle struck number of pedestrians outside mosque**

BLOG BRIEFING ROOM  
— 4H 48M AGO

**Pro-Trump groups take Obama out of context in Georgia election ad**

BLOG BRIEFING ROOM  
— 5H 51S AGO

**Megyn Kelly interview with Alex Jones gets praise on social media**

MEDIA — 5H 7M AGO

**Navy identifies sailors killed in collision**

DEFENSE — 5H 21M AGO

**Megyn Kelly, Alex Jones spar on Sandy Hook claims**

MEDIA — 5H 51M AGO

**Kelly: 'Some thought we shouldn't broadcast' Alex Jones interview**

MEDIA — 6H 27M AGO

**Pence family adopts new kitten, puppy**

BLOG BRIEFING ROOM  
— 6H 39M AGO

Advertisement

# Report: Ari Emanuel refused to open library of Miss Universe tapes

BY MALLORY SHELBOURNE - 12/19/16 09:57 AM EST

**619** SHARES

SHARE (618)

TWEET

PLUS ONE



© Getty Images

Ari Emanuel refused to release videotapes from the Miss Universe archives despite requests from Democrats in the weeks before the presidential election, according to a report in [The Daily Beast](#).

Emanuel, a Democratic Party supporter whose brother, Chicago Mayor Rahm Emanuel, was President Obama's first White House chief of staff, is CEO of WME-IMG, which bought the Miss Universe pageant rights and its archived video library from President-elect Donald Trump in 2015.

Some sources have told The Daily Beast that there could be video of Trump that would have been damaging to his presidential candidacy.

The search for the tapes came in the final 10 days of the campaign, according to the report. Emanuel, through a spokesman, declined to comment for The Daily Beast story.

The news organization reported that several sources who did speak to their reporters said Emanuel never claimed the Miss Universe tapes did not exist. One source described Emanuel's refusal to release the tapes as a "get over it, move on" type of message.

The report says it spoke to former clients of Emanuel's talent agency, former employees of the Miss Universe Organization and Democratic insiders.

...and 2009 interview with Howard Stern, for example, Trump described going backstage at the pageant and seeing contestants nude or partially dressed.

## Related News by



Likely W.Va. Senate GOP rivals spar in radio...



Top Trump campaign surrogate plans run for...



Poll: 47 percent back impeachment for Trump



5 takeaways from the Virginia primaries

"Well, I'll tell you the funniest is that before a show, I'll go backstage and everyone's getting dressed, and everything else, and you know, no men are anywhere, and I'm allowed to go in because I'm the owner of the pageant and therefore I'm inspecting it," he told Stern in a tape first highlighted by CNN.

Emanuel and Trump have a long history.

Trump has previously described Emanuel as "a good friend" whom he speaks with often. Emanuel represented Trump during his negotiations for the show "The Celebrity Apprentice," according to [CNN Money](#).

Following Trump's Nov. 8 victory, Emanuel met with the president-elect in Bedminster, N.J. Emanuel had several of his agents warn clients about the meeting through text messages.

While those close to Emanuel describe the meeting as the Hollywood executive's chance to hold Trump accountable for his rhetoric on the campaign trail, a transition team source painted a different picture for the news outlet.

According to the source, Emanuel gave Trump suggestions on how to be a successful leader instead of criticizing him.

**TAGS** DONALD TRUMP

SHARE (618)

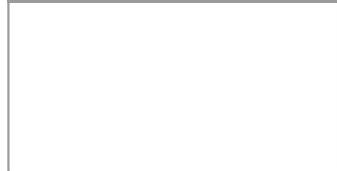
TWEET

PLUS ONE



THE HILL 1625 K STREET, NW SUITE 900 WASHINGTON DC 20006 | 202-628-8500 TEL | 202-628-8503 FAX  
THE CONTENTS OF THIS SITE ARE ©2017 CAPITOL HILL PUBLISHING CORP., A SUBSIDIARY OF NEWS COMMUNICATIONS, INC.

Advertisement



x

# **Exhibit**

# **H**



## MEDIA

# Tilting Hollywood's Balance of Power to Talent Agency Clients

By MICHAEL CIEPLY MARCH 19, 2007

LOS ANGELES, March 18 — Almost six years ago, big thinkers at Hollywood's Endeavor talent agency, best known as the players behind the industry satire "Entourage" on HBO, drilled into a bothersome question: Why should a star or director work for low pay on a labor of love only to see a film studio or foreign sales company strike it rich if the movie thrives in worldwide theatrical and video markets?

Far better, they reckoned, would be to put those dollars in the pockets of clients and, not incidentally, of the agents who represent them.

By late 2003, a young agent, Mordecai Wiczyk, under the wing of the Endeavor partners Ariel Emanuel and Patrick Whitesell, joined with a Harvard Business School classmate, Asif Satchu, to do just that by creating Media Rights Capital.

It soon built high-profile movies — like Alejandro González Iñárritu's "Babel" and the comedic actor Sacha Baron Cohen's planned "Bruno" — around clients of Endeavor, which was quietly given part ownership in return for helping to find film projects and make deals.

AT&T and the advertising conglomerate WPP Group joined Goldman Sachs as investors. This combination, Mr. Wiczyk and Mr. Satchu said, gives Media Rights the ability to invest \$400 million a year into movies, television shows and

broadband Internet episodes, a considerable amount even at a time when Hollywood is crawling with aspiring financiers.

If they succeed, the pair may help shift the balance of power in Hollywood by increasing opportunity for idiosyncratic movies like the multilingual “Babel,” and by giving filmmakers and stars more earning power and ownership of their projects.

Despite the new money and the seven Oscar nominations for “Babel,” the company has yet to convince a skeptical film business that it is not just a stalking horse for Endeavor and its clients. To expand its reach, Media Rights must overcome a widespread sense that the company is playing loose with restrictions on agencies employing their own clients or that it is somehow beholden to the agency that helped create it. “Everyone who is not in the bus, we’re going to keep stopping by the house and opening the door,” Mr. Wiczyk said in an interview this month at the company’s office in the building that also houses Endeavor.

Mr. Wiczyk, who previously worked at the foreign sales company Summit Entertainment, and Mr. Satchu, who co-founded and later sold the online industrial supply-chain management company SupplierMarket at the height of the dot-com boom, remain more business school than Hollywood in their delivery.

Working the phones from their barebones office on Wilshire Boulevard in Beverly Hills, Mr. Satchu, 35, acknowledged a penchant for making points with scrawls on a whiteboard. Mr. Wiczyk, 34, spoke with considerable passion about their zeal for market information. “We spend all of our time thinking about the data we don’t have and what would we do if we had it,” he said.

The pair described a process in which information shared among partners like WPP and AT&T at the formative stages of a project — like a DVD and Internet program for homemakers, suggested by the actress Raven-Symoné — may increase its marketability later. They said the company worked through likely outcomes from, say, a series of 10 five-minute spots as opposed to 20 of half that length, granting the actress and her collaborators the final call.

Meanwhile, detailed assessments of foreign markets may influence decisions about selling rights to films like “Sleuth,” coming in the fall.

“We get people comfortable; we get people to give us their information,” said Mr. Wiczyk, who described himself as being “evangelical” about using data to help artists seize the value in their own work.

And they dream big. They talk of financing 10 films, five or six television shows, and 20 mobile or broadband shows annually.

A financier’s connection with a talent agency is not a novelty in Hollywood. Stung by the studios’ continuing retreat from star-driven films, talent companies like Creative Artists Agency, the William Morris Agency, International Creative Management and the United Talent Agency have all sought to connect their clients with alternative financing.

Cassian Elwes and his division, William Morris Independent, for instance, have helped Morris clients put together movies (like the planned “Grace Is Gone”) outside the studio system. But representatives of several such companies said last week that they knew of no firm that has pushed its alliance with an agency as far as Media Rights.

Films backed by the financier have included substantial talent from other agencies — Brad Pitt and Cate Blanchett, stars of “Babel,” are represented by Creative Artists.

But virtually all of the company’s projects have been built around an Endeavor-backed participant, like the actor Jude Law in “Sleuth,” or Hugh Jackman, in “The Tourist.” According to Mr. Wiczyk and Mr. Satchu, the agency owns a minority, nonvoting stake in their company, which they declined to specify. They added that no Endeavor agent holds an individual stake or sits on the Media Rights board.

Still, those at other agencies would like to know more. Requesting anonymity because of general industry reluctance to speak publicly about a rival’s business, some agents last week questioned whether Media Rights could be trusted not to put their proprietary information in the service of Endeavor. Others wondered if the Endeavor’s ownership stake ran afoul of regulatory provisions in California law or contracts with guilds.

"For us, financing opportunities are always exciting and interesting," said Jeremy Zimmer, a partner at United Talent. Mr. Zimmer said that his agency has not done business with Media Rights, but might do so if it was satisfied that the company's ownership and influences were clear. "What becomes critical is who is the management?" he asked. "What level of transparency are we going to have?"

Robert Jones, California's acting labor commissioner, whose office regulates talent agents, said the state's labor code has a provision banning conflicts of interest by agencies. The law, from a time when models were sometimes sent for hair and makeup work by operators with a close connection to their agencies, says that no agent may refer a client for services to any entity in which the agency has a direct or indirect financial interest.

The law's wording has a broad sweep, but does not specifically address film financing. Mr. Jones said he was not aware of any complaints related to the Media Rights-Endeavor association. Any ruling on a conflict, he added, would depend on the facts of a particular case.

An overall franchise agreement under which the Screen Actors Guild restricted the right of agencies to engage in film production expired in 2001, and Hollywood's major agencies have since operated without a formal agreement with that guild.

Media Rights has been careful to distinguish itself as a financier rather than a producer. Representatives of Endeavor and Media Rights said the two companies became involved only after a legal review, conducted by an outside labor lawyer, persuaded them that agency law and guild regulations permitted the venture.

Meanwhile, the studios are wary because they are likely to have only so much appetite for films in which they are not the principal owners. Last year, Universal paid \$42.5 million to acquire the rights in English-speaking regions and some European territories to Mr. Baron Cohen's "Bruno," based on its namesake character, a gay Austrian fashion expert.

Some rival executives considered the figure excessive, given the limited scope of the rights (Universal will not own the negative) and the risk factor in returning to the

mockumentary format that worked in “Borat: Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan.”

“From my perspective, this kind of deal is only bad for the business if you did it all the time,” David Linde, the studio’s co-chairman, said. He pointed out that his company had agreed to make more than two dozen of its own movies over the last 10 months; adding “Bruno” would only strengthen its release schedule.

Yet John Lesher, president of Paramount Vantage, which released “Babel,” said a similar arrangement was ultimately sound, if not spectacularly lucrative, for his company. Paramount Vantage bought rights in English- and Spanish-speaking territories, and left the rest. “I’m not going to make a tremendous amount, but I’m going to make money on the film,” said Mr. Lesher, who made the deal as the director’s agent before joining the boutique studio.

The film has made about \$114 million at the box office, almost 70 percent of that abroad. Paramount will most likely have strong sales from DVD, thanks to the movie’s Oscar nominations, but it also invested heavily in a sustained award campaign.

According to Jon Kilik, a producer of “Babel,” the film cost about \$30 million to make, and Paramount Vantage paid less than the production cost for its rights. Mr. Kilik said Media Rights assisted the process by providing what he called bridge financing, which held the movie together for several months while talent deals and more conventional film lending were put in place. Financial benefit from the deal was ultimately split among Mr. Iñárritu, the producers, stars and writer of the film, he said.

Endeavor had a jolt last week when Mr. Iñárritu — whose film was a showcase for that agency and Media Rights — bolted to the competing Creative Artists Agency. People associated with the director said his departure had nothing to do with Media Rights, and in a statement on Friday, Mr. Iñárritu said he hoped to find a new project with the financier.

Mr. Whitesell of Endeavor, in a phone interview, said he believed that the information-sharing tack taken by Media Rights would persuade other agencies to

embrace its projects, though he suspected that some might foster similar financing entities rather than signing on.

“I have mixed feelings about other people getting into it,” Mr. Whitesell added. “But that will just create more opportunity for clients.”

A version of this article appears in print on , on Page C1 of the New York edition with the headline: Tilting Hollywood’s Balance of Power to Talent Agency Clients.

---

© 2017 The New York Times Company

# **Exhibit**

**I**

HOLLYWOODLAND INSIDE THE BIG PICTURE SHOW.

MARCH 20 2007 1:45 PM

## More on That Slick Bruno Deal

How an agent turned his pie-in-the-sky memo into a reality.

By Kim Masters

## HOLLYWOODLAND

**Agent X:** A helpful reader (and we could use more of you) has reminded us that years ago—in 1999, to be specific—young Modi Wiczyk wrote a memo on the future of Hollywood. It was called "Another New Ball Game."

Recall that last week, we told you how the Endeavor agency—in which Wiczyk is a former partner—got Sacha Baron Cohen a sweet deal for making Bruno (the follow-up to Borat) at Universal. The deal involved the brief use of a financing vehicle called Media Rights Capital. Some studio types were suspicious that MRC was a unit of Endeavor and that the whole point of using MRC was to get a deal that no studio would otherwise have yielded. It would be against the law for MRC to be a unit of Endeavor because it is against California state law for agencies to produce films. Endeavor has said that MRC is a separate entity.

The co-CEO of MRC is Modi Wiczyk.

Few ideas are original, and Wiczyk would seem, in his 1999 memo, to have tipped his hat to his forebears. Peter Guber—the former Columbia Pictures chief who almost decimated the studio in the early '90s—wrote a memo as a young executive in 1969. It was called "The New Ballgame"—a 15,000-word prediction of future shock in the movie business. (The premise was that home video would transform the movie business as well as music, theater, religion, sex, and just about everything else.)

In the early '80s, Michael Eisner wrote another state-of-the-industry memo, replete with baseball metaphors, when he was an executive at Paramount. Jeffrey Katzenberg, as the restless chairman of the Disney studio, annoyed Eisner when he wrote a similar memo packed with baseball metaphors in 1990.

Wiczyk's "Another New Ball Game" was, potentially, a more revolutionary memo. He wrote it as a young executive at a company called Summit Entertainment. The memo predicted the decline of the studios, with filmmaking talent as the beneficiary. He also predicted that a management company with a lot of big stars would start to produce and own films. "The most immediate and pressing challenge would be to get the studios to carry the product," he said. The likelihood of a studio boycott was remote, he said, because "whichever studio was suffering at the time would probably break ranks in the name of short-term self-preservation." Hmm.

Michael Ovitz eventually tried to launch such a management company and failed. But Wiczyk's memo said the agencies could also carry out the change. "A similar structure could be created which complies with the conflict-of-interest laws," Wiczyk wrote. "If [a] fund was created as a stand-alone entity and the agency had an arms-length service contract, they could avoid conflict-of-interest violations. ... Admittedly this is a delicate issue and a tough deal to pull off, but it's certain someone would try it." Why? The potential for enhancing agency commission was "too rich to ignore." In fact, he said, an agency could double its annual revenues.

All this seems very prescient in light of the Bruno deal. Whether Endeavor really can run with that ball remains to be seen. Wrong sport, but you get the idea. ([link](#))

Tuesday, March 13, 2007



Sacha Baron  
Cohen  
Advertisement

**Funny business:** When Fox let slip the opportunity to make *Bruno*, Sacha Baron Cohen's follow-up to *Borat*, some thought the studio let one of the hottest stars in the firmament get away. Others said the deal, which cost more than \$40 million, was too rich—especially since it's an open question whether Cohen can pull off another movie based on people not recognizing him (this time as a gay Austrian fashion maven).

The *Bruno* deal raises another good question: Has Endeavor, the agency that represents Cohen, invented the perfect crime? Or did it simply come up with a clever way of striking a very favorable deal that infuriates the studios?

Endeavor has had some Oscar heat lately—its clients include Martin Scorsese, Alejandro González Iñárritu, and many others (though Reese Witherspoon just bolted). Even before *Borat* opened, the agency presided over a bidding war for *Bruno* among several studios. Universal's winning bid was \$42.5 million—a big bump up from *Borat*, which cost less than \$20 million (and has grossed more than \$250 million worldwide).

Before the bidding frenzy started, Endeavor sold *Bruno* to a financing entity called Media Rights Capital. MRC didn't take much of a risk, since the studios were fighting to buy the project before the proverbial ink was dry. In fact, MRC sold the package to Universal at such lightning speed that some at the studios have wondered aloud (if not on the record): Why did Endeavor need to bring MRC into the deal?

Advertisement

And that raises the question: Is MRC a separate company, or is it Endeavor in different clothing? It is against California state law for agencies to produce films, and Endeavor has said that MRC is a separate entity. But some in Hollywood perceive MRC as a unit of Endeavor—a unit positioned to cherry-pick projects. Former Endeavor agent Modi Wiczyk is co-CEO of MRC.

One executive who passed on *Bruno* said MRC seems to be an "internal production machine" for the agency. An executive at another company also expressed doubts about the deal. "None of the math made sense," this executive said. Estimating high, the film seemed to require a budget of only about \$30 million, "even if you give Sacha the \$15 million that he wanted" for starring. And if that were true, then whose pocket would be lined with the markup?

An Endeavor source says all this is the bitter cavil of the defeated. "MRC is its own company," he says. After all, Endeavor would hardly risk its business by breaking the law. And through the independent MRC, Endeavor got Cohen one hell of a deal (and presumably an extra-nice commission for itself). MRC agreed to pay Cohen \$15 million instead of the \$12.5 that a studio would have paid, and gave him the lion's share of profits as well as creative control. And in the end, he gets to own the negative—a worrisome prospect for studios that live on the income thrown off by their libraries. That's a package the studios would never have matched—much less beaten—without an electric prod.

One of those executives who did not think the deal was well-advised sees it as a bad precedent, explaining that a studio "should not step into a deal where you're violating the most basic practices of the business you're in."

Advertisement

Executives at Universal disagree. "One could argue if you do it all the time that it's a bad way to run your business," one says. "We're not doing this all the time. But there are unique opportunities."

The eventual deal with Universal was all the sweeter for Cohen because at the time that it was struck, the research tracking audience interest in *Borat* looked a little wobbly and Fox—figuring that the movie needed to build a little word-of-mouth in the heartland where no one had ever heard of Cohen—cut the number of theaters in which the film would open. None of that sat well with the star. And Fox did not respond to the opportunity to make the *Bruno* deal with the alacrity that Cohen or his representatives deemed appropriate.

For its \$42.5 million, Universal got rights to the movie in English-speaking countries, Germany, Austria, and let us not forget Belgium and the Netherlands (but apparently not Kazakhstan). Our Endeavor source tells us this is a bargain. Cohen's *Ali G* movie did \$15 million in the United Kingdom in the pre-*Borat* days, he says, and *Borat* pulled in almost \$40 million there. So (he argues), it made sense for Universal to wager that *Bruno* can pull in enough money even in its limited territories—one of which is the United States, after all. (Bear in mind that studios get to keep about half of those grosses. But the Endeavor source says Universal cannot lose money on the movie even if it's terrible.)

This source says the studios are annoyed simply because they were backed into a corner. "People say, 'We're never going to work with you again—fuck you,'" he says cheerfully. "Two months later, there's something they want. ... The studios are getting less powerful, not more. Did we do the right thing for our client? That's a no-brainer." ([link](#))

Advertisement

**Friday, March 9, 2007**



Howard Stringer

**TGIF:** It's Friday and that's a blessing for most everyone, except those executives who will watch their movies get flattened by 300 over the weekend.

Last weekend, however, was huge in terms of media-business journalism—almost like a graduate seminar on some of the biggest players in today's Hollywood. There was a long piece about John Lasseter and Disney in the *New York Times*, as well as one about Tom Cruise and his United Artists deal. There was a story about MGM in the *Los Angeles Times*. And there was the mother of them all in the *Wall Street Journal*—a remarkable interview with Sony Chairman Sir Howard Stringer.

It took us a while to digest this feast. And since you presumably don't get paid to read these fine articles, maybe you didn't get around to them at all. So, here is what you need to know:

The John Lasseter piece **purports to address** whether Lasseter can remake the drifting Disney animation operation even while guiding Pixar. Here's what he's really saying: *Meet the Robinsons* is not the first Disney film under his leadership. Don't blame him for this one. After watching a screening of the film last March, Lasseter beat up on director Stephen Anderson for six straight hours. Nearly 60 percent of the film was dumped. Still, to reiterate, don't blame Lasseter if it doesn't work.

The Tom Cruise piece **makes one essential point**: Tom Cruise's production company at Paramount did very, very well with Tom Cruise movies but "those that did not feature the actor—pictures like *The Others*, *Elizabethtown*, *Shattered Glass* and *Narc*—had 'mixed' commercial success." In this sentence, "mixed" is a euphemism. Cruise is not obligated to appear in any United Artists film. And, at Paramount, Cruise and his partner, Paula Wagner, did not quite average a movie a year—at UA, they expect to make several a year.

The *Los Angeles Times* article about MGM chief Harry Sloan, the guy who made the Cruise deal, **reveals** that he has a lot of

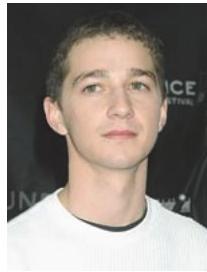
crystals in his office and talks about Yong Shui. If you're an investor, that might worry you.

The most stunning piece of them all is one that many people somehow overlooked. In his interview with the *Wall Street Journal*, Sir Howard says his achievements have been masked in part by such problems as Sony's battery recall which, he says, "took too long for bizarre Japanese reasons that I don't want to spend the rest of my life discussing." None of the executives alerted him to various problems, and they're also bitching because he doesn't have a place to live in Tokyo, preferring to stay in a hotel when he's there. Stringer says he won't get some lonely apartment in Tokyo but concedes he should have "faked it better," adding, "I mean that seriously."

We don't speak Japanese but when you translate those remarks, we think it comes out like this:

"I hate this job! Fire me!" ([link](#))

**Wednesday, March 7, 2007**



Shia LaBeouf

**Project Greenlight:** It's been rumored around a bit on the Web, and now an excellent source says you can count on it: Shia LaBeouf will play the son of Indiana Jones in the upcoming fourth installment in the series, set for release in 2008.

Advertisement

Apparently, the young actor is impressive enough in the upcoming Steven Spielberg-produced *Disturbia* and *Transformers* that he won the role.

We liked LaBeouf in *Holes* and felt inexplicable pity for him in *Project Greenlight*, when he was suffering through the making of *The Battle of Shaker Heights*. We missed him in some of the other stuff. So, America, what do you think? He's got the chops as an actor, but does he have enough leading-man appeal to be the son of Indy? Even some of those close to the project aren't sure.

But if Spielberg and Lucas are, that's the end of the conversation. Those two have been kicking around the idea of another Indiana Jones adventure since they all went to an American Film Institute dinner honoring Harrison Ford in February 2000 and watched that boulder roll on the screen. There have been a number of false starts, and by now it's clear that Ford, who turns 65 this year, needs a kid in the movie.

After all, Indiana Jones is completely foreign to the young audience today, and some in the industry have wondered whether the idea will have broad appeal at this point. It's also painful to imagine the kind of deal that Paramount will have to give to this collection of talent, though Spielberg is a comparatively thrifty director. Given this combination of players, most studios would say yes and take their chances. ([link](#))

**Friday, March 2, 2007**

The Oscars are over, but the gossip isn't quite all gone.

—Who almost got the prestigious **Thalberg Award** for lifetime achievement? Come on, guess. You're right if you said schlockmeister **Roger Corman**, producer of such classics as *The Wasp Woman* and *A Bucket of Blood*, as well as the original *Little Shop of Horrors*, *Piranha*, and other classics. He may seem an unlikely choice for a prestige award that previously has gone to Darryl Zanuck and Samuel Goldwyn, but Corman started so many big careers in the business—Martin Scorsese, Francis Coppola, and Jack Nicholson, among others—that he had lots of support from protégés who signed letters on his behalf.

There's always next year. (No one has taken home the Thalberg Award, which is handed out irregularly, since Dino De Laurentiis received it in 2000.)

Recall that Grey had unsuccessfully lobbied the Producers Guild for recognition as a producer on the film (for work he had done before taking the top job at Paramount). When he didn't get it, he asked the academy—which generally follows the guild's lead in these matters—to render him eligible to pick up the Oscar if *The Departed* were to win. Many thought Grey's campaign for recognition was a bad idea considering that his studio had *Babel* in contention and *The Departed* was a Warner movie. But that didn't stop him.

In fact, even after the academy made its decision, we're told King confided to friends that he'd been pressured to withdraw his own name in protest. This strategy worked some years ago when the Producers Guild wouldn't recognize Grey for his work on *The Sopranos*. The show's creator, David Chase, threatened to withdraw his own name and the guild caved. King fretted over what to do but decided to take that possibly once-in-a-lifetime walk on-stage to get the golden statuette—and compensate by thanking Grey in front of the world. Our source assures us that when the big moment arrived, King simply forgot to say thank you. And we absolutely believe that. (Dr. Freud, call your office.)

It's probably just as well for Grey that the academy didn't give in. On Oscar night, he was seated in a row with his boss, Viacom Chairman Sumner Redstone. Had he attempted to rise from his chair, there's no doubt that a gnarled claw would have shoved him back down so fast that Grey's vertebrae would have cracked.

—It occurred to us that when Jack Nicholson opened the envelope for best picture, he might have said *The Departed* when the card actually read *Little Miss Sunshine*. After all, we know which one he preferred. When we mentioned this—jokingly—to an executive associated with one of the losing films, we were surprised to discover that he had the same thought—and he wasn't joking. Did Jack read the right name? Only Diane Keaton and Price Waterhouse know for sure.

| BROW BEAT SLATE'S CULTURE BLOG

MAY 19 2017 8:02 AM

## While Amazon and Netflix Are Producing Ambitious Movies for TV, HBO Is Still Stuck Making TV Movies

By David Canfield



*The Wizard of Lies*, starring Robert De Niro and Michelle Pfeiffer.

Craig Blankenhorn/HBO

Steven Soderbergh did not intend for *Behind the Candelabra*, his Liberace biopic starring Michael Douglas and Matt Damon, to wind up on HBO. The director described its bumpy journey to the network upon its premiere, explaining that his initial pitch—requesting a mere \$5 million to shoot a script by Richard LaGravenese, with those marquee names already attached—was met with uniform rejection by Hollywood studios. He told *the Wrap* that “[everybody] said it was too gay,” and in a more in-depth interview with *Mother Jones*, he

argued that the “economics” of the theatrical market rendered such a path impossible. More studio loss turned out to be HBO’s gain: *Behind the Candelabra* earned universal acclaim among TV and film critics alike, won 11 Emmy Awards, and hit a near-decade viewership record.

Given HBO’s resources, the success of *Behind the Candelabra* should not be the anomaly that it is. For decades, the pay-cabler’s model for TV movies has been frustratingly static: It takes rich historical material and spins it into movies that, no matter the talent of the people involved, usually come up short on ambition and middling in execution. It’s the very opposite of the cutting-edge brand HBO has cultivated for itself in series and documentaries. For every *Candelabra* there’s a *Phil Spector* and a *Mary and Martha*—movies that aired in the same season as *Candelabra*, respectively starred Al Pacino and Hilary Swank, and faded from relevance the moment their credits rolled. ~~For every *Bessie*, Dee Rees’ uneven but galvanizing biopic starring Queen Latifah, there’s a *Confirmation* and an *All the Way*, both of which squandered the dramatic potential of ever-timely political eras.~~ [CONTINUE READING](#)

## FOLLOW SLATE

**SLATE ON** [IPHONE](#) [ANDROID](#) [KINDLE](#)

**REPRINTS**

**ADVERTISE WITH US**

[ABOUT US](#)  
[CONTACT US](#)  
[WORK WITH US](#)  
[FEEDBACK](#)  
[CORRECTIONS](#)

[USER AGREEMENT](#)  
[PRIVACY POLICY](#)  
[FAQ](#)

Slate is published by The Slate Group, a Graham Holdings Company. All contents © 2017 The Slate Group LLC. All rights reserved.

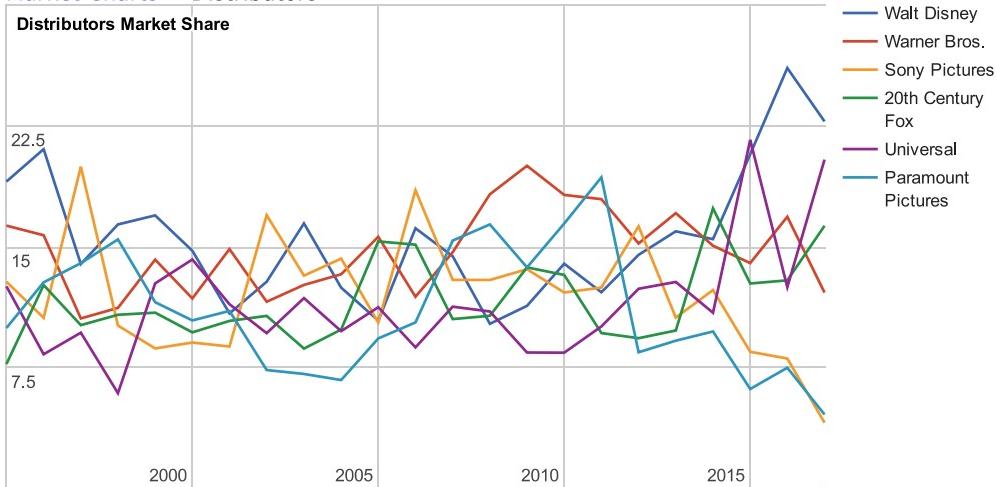
# **Exhibit J**

Follow us on [Facebook](#) [Twitter](#)

Where Data and the Movie Business Meet

[News](#) [Box Office](#) [Home Video](#) [Movies](#) [People](#) [Oscars](#) [Research & Data](#)


# ALLERGIES WITH NASA CONGESTION

[Market Charts](#) > [Distributors](#)

**Note:** Figures for 2017 are at an annualized rate.

## Market Share for Each Distributor 1995-2017

Rank	Distributor	Movies	Total Box Office	Tickets	Share
1	Walt Disney	535	\$1,230,342,981	4,743,883,013	15.39%
2	Warner Bros.	686	\$30,481,204,951	4,568,074,683	15.02%
3	Sony Pictures	647	\$24,797,983,336	3,821,175,597	12.22%
4	20th Century Fox	476	\$23,735,862,700	3,563,006,067	11.69%
5	Universal	440	\$23,381,336,666	3,492,798,649	11.52%
6	Paramount Pictures	446	\$22,413,883,651	3,448,219,756	11.04%
7	Lionsgate	362	\$7,879,609,096	1,030,549,036	3.88%
8	New Line	205	\$6,193,114,702	1,116,171,066	3.05%
9	Dreamworks SKG	77	\$4,278,649,271	760,431,349	2.11%
10	Miramax	384	\$3,842,684,125	715,187,644	1.89%
11	MGM	229	\$3,510,209,398	642,120,427	1.73%
12	Fox Searchlight	202	\$2,343,764,984	336,789,784	1.15%
13	Weinstein Co.	172	\$2,148,969,711	273,373,370	1.06%
14	Focus Features	147	\$1,815,301,884	248,259,456	0.89%
15	Summit Entertainment	40	\$1,667,022,795	217,204,346	0.82%
16	Sony Pictures Classics	464	\$1,097,234,134	169,170,221	0.54%
17	Miramax/Dimension	28	\$1,035,673,230	177,909,485	0.51%
18	Relativity	45	\$932,355,849	115,528,169	0.46%
19	Open Road	45	\$752,411,515	91,621,986	0.37%
20	Newmarket Films	28	\$471,900,320	76,379,481	0.23%
21	IFC Films	368	\$409,321,534	64,131,428	0.20%
22	CBS Films	24	\$383,911,097	47,627,449	0.19%
23	FilmDistrict	16	\$382,933,030	47,522,112	0.19%
24	Artisan	58	\$381,879,157	72,324,289	0.19%
25	Paramount Vantage	87	\$376,993,838	55,448,089	0.19%
26	Overture Films	23	\$342,696,132	45,769,788	0.17%
27	STX Entertainment	14	\$313,029,881	36,381,227	0.15%

## Trending Pages

- [Bankability Index](#)
- [Daily Box Office](#)
- [Weekend Box Office](#)
- [Weekly Box Office](#)
- [Weekly DVD Sales](#)
- [Weekly Blu-ray Sales](#)
- [Top-selling DVDs of 2017](#)
- [Top-selling Blu-rays of 2017](#)
- [Theatrical Release Schedule](#)
- [All-Time Top Grossing Films](#)
- [Theatrical Records](#)
- [Movie Budgets](#)
- [Theatrical Market](#)
- [Report Builder](#)
- [People Records](#)
- [Highest Grossing Stars of 2017](#)

## Search

VIEW FEATURES
MazdaUSA.com

## Most Anticipated Movies

- [Baywatch](#)
- [Pirates of the Caribbean: Dead Men Tell No Tales](#)
- [The Mummy](#)
- [47 Meters Down](#)
- [Dunkirk](#)
- [Fast and Furious 9](#)
- [Wonder Woman](#)
- [Captain Underpants: The First Epic Movie](#)
- [Kidnap](#)

28 USA Films	28	\$296,282,431	53,244,929	0.15%
29 Gramercy	59	\$294,697,471	64,740,015	0.15%
30 Roadside Attractions	121	\$294,523,911	35,933,499	0.15%
31 Weinstein/Dimension	12	\$292,964,782	40,767,850	0.14%
32 IMAX Films	87	\$288,577,206	48,148,277	0.14%
33 A24	53	\$184,597,384	21,797,665	0.09%
34 Picturehouse	30	\$155,411,956	22,299,888	0.08%
35 Polygram	9	\$150,730,128	32,271,996	0.07%
36 Warner Independent	26	\$149,630,060	23,182,668	0.07%
37 MacGillivray Freeman Films	7	\$148,322,809	29,116,181	0.07%
38 Focus/Rogue Pictures	10	\$143,951,668	22,414,937	0.07%
39 Fine Line	73	\$133,674,231	26,940,592	0.07%
40 Samuel Goldwyn Films	84	\$129,267,446	17,995,840	0.06%
41 Magnolia Pictures	313	\$127,904,584	17,479,787	0.06%
42 Pure Flix Entertainment	8	\$127,655,544	15,253,084	0.06%
43 Sony/TriStar	10	\$120,306,715	24,284,616	0.06%
44 Eros Entertainment	136	\$116,725,566	15,663,986	0.06%
45 Freestyle Releasing	100	\$112,577,508	15,300,277	0.06%
46 October Films	45	\$105,688,542	22,150,242	0.05%
47 United Artists	10	\$100,917,553	14,086,858	0.05%
48 UTV Communications	98	\$88,452,170	11,254,026	0.04%
49 Alliance Films	47	\$74,299,926	10,807,419	0.04%
50 Broad Green Pictures	13	\$72,113,896	8,440,897	0.04%
51 Savoy	10	\$65,656,828	15,092,800	0.03%
52 Rocky Mountain Pictures	29	\$65,628,076	8,741,048	0.03%
53 Filmways Pictures	1	\$65,233,369	10,176,812	0.03%
54 Bleeker Street	13	\$64,168,746	7,479,270	0.03%
55 ThinkFilm	105	\$61,702,375	9,529,534	0.03%
56 National Geographic Entertainment	26	\$60,211,129	8,011,887	0.03%
57 Yash Raj Films	51	\$59,413,300	8,410,161	0.03%
58 Yari Film Group Releasing	13	\$56,140,232	8,417,860	0.03%
59 Trimark	28	\$55,942,522	11,883,312	0.03%
60 Destination Films	5	\$55,116,326	10,225,661	0.03%
61 Orion Pictures	12	\$51,717,241	11,588,590	0.03%
62 Goldwyn Entertainment	33	\$49,807,146	10,769,844	0.02%
63 EuropaCorp	7	\$46,155,394	5,384,316	0.02%
64 Giant Screen Films	7	\$45,662,623	7,719,013	0.02%
65 nWave Pictures	27	\$42,486,061	7,042,486	0.02%
66 First Look	51	\$41,549,050	7,514,716	0.02%
67 RADiUS-TWC	27	\$35,623,234	4,298,068	0.02%
68 High Top Releasing	12	\$32,919,623	3,856,730	0.02%
69 Music Box Films	96	\$32,113,522	4,024,943	0.02%
70 Apparition	8	\$29,941,563	3,907,581	0.01%
71 Clarius Entertainment	5	\$29,119,817	3,555,725	0.01%
72 IDP/Goldwyn/Roadside	19	\$28,285,177	4,360,764	0.01%
73 Zeitgeist	105	\$27,233,527	4,182,797	0.01%
74 Focus / Gramercy	1	\$26,594,261	3,074,481	0.01%
75 New Yorker	102	\$23,648,088	4,216,013	0.01%
76 3D Entertainment	7	\$23,621,565	3,315,452	0.01%
77 IDP Distribution	16	\$23,406,780	3,907,113	0.01%
78 Alchemy	32	\$21,556,266	2,671,954	0.01%
79 Mongrel Media	101	\$20,251,094	2,494,837	0.01%
80 Live Entertainment	4	\$19,129,723	4,151,948	0.01%
81 SK Films	5	\$19,084,280	3,054,174	0.01%
82 Great India Films	1	\$18,985,794	2,194,889	0.01%
83 China Lion Film Distribution	65	\$17,779,555	2,112,256	0.01%
84 Odeon Films	9	\$17,763,674	2,949,124	0.01%
85 Miramax/Roadside Attractions	1	\$17,737,646	2,104,109	0.01%
86 Oscilloscope Pictures	80	\$17,410,635	2,153,050	0.01%
87 Cohen Media Group	46	\$17,400,190	2,100,457	0.01%
88 Excel Entertainment	18	\$17,155,655	2,808,853	0.01%
89 Screen Media Films	35	\$16,801,466	2,792,811	0.01%
90 FIP	10	\$16,568,368	1,937,178	0.01%
91 Entertainment One	33	\$16,340,929	2,011,386	0.01%
92 Anchor Bay Entertainment	57	\$16,327,436	2,069,476	0.01%
93 Well Go USA	44	\$16,156,544	1,896,839	0.01%
94 FUNimation	9	\$15,901,304	1,864,278	0.01%
95 WGBH Giant-Screen Films	3	\$15,553,324	2,695,707	0.01%
96 Strand	257	\$15,326,100	2,539,831	0.01%

Valerian and the City of a Thousand Planets

## Trending Movies

Guardians of the Galaxy Vol 2  
 Alien: Covenant  
 xXx: Return of Xander Cage  
 Beauty and the Beast  
 King Arthur: Legend of the Sword  
 The Fate of the Furious  
 Everything, Everything  
 Moana  
 The Hunger Games  
 Snatched



## Trending People

Stan Lee  
 Frank Welker  
 Tom Cruise  
 John Ratzenberger  
 Samuel L. Jackson  
 Warwick Davis  
 Bob Bergen  
 Chris Pratt  
 Dwayne Johnson  
 Naomi Watts

# **Exhibit K**

# Wiczyk goes to U as VP prod'n

*Cathy Dunkley*

JANUARY 7, 2001 | 11:00PM PT

## ***Exec to ankle Summit Entertainment***

Modi Wiczyk, senior VP production at Summit Entertainment, will ankle his post to join Universal Pictures as VP, production.

Wiczyk, who will remain at Summit while a replacement is sought, is expected to begin work at U at the end of February or early March. He will report to studio production prexy Kevin Misher.

In the interim, Wiczyk will continue to oversee the development of projects such as "Mr. and Mrs. Smith," written by Simon Kinberg and produced by Akiva Goldsman; "Locked and Upright," written by Barry McEvoy, with Dean Parisot attached to direct for producer Mark Johnson; "Closure," written by Ellen Rappaport, with Andy Fleming attached to direct and Marc Platt producing; and "Escapade," to be written and directed by John Patrick Shanley.

"I feel blessed in that I have got an exciting opportunity ahead of me at Universal after having a wonderful working experience with Patrick Wachsberger and Summit Entertainment," Wiczyk said.

Wiczyk joined Summit in July 1999 as senior veep of production, where he helped build Summit's development, production and co-production department as the company increased its sales and production activities.

**VARIETY**  
 Summit's foreign sales push comes primarily from its relationships with Artisan Entertainment, Mandeville Pictures, Newmarket Group and Constantin Films. These studios have elevated the company's profile with hits such as "The Blair Witch Project" franchise and "Cruel Intentions."

Prior to joining Summit, Wiczyk worked on consultancy projects with Paramount Classics, Industry Entertainment, William Morris Agency and Phoenix Pictures.

**Want to read more articles like this one? [SUBSCRIBE TO VARIETY TODAY.](#)**

## Sponsored Content

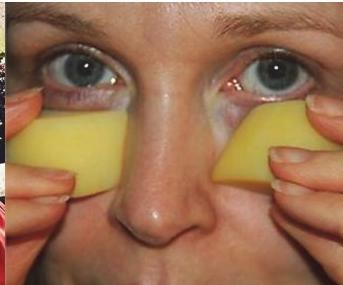
Recommended by



Hollywood Actress Tells All: "I Felt Bloated, Tired, and Unhealthy... Now I ActivatedYou

14 Athletes who Make Kim Kardashian Look Plain Journalistate

Here's Why You Should Sign Up and Drive for Uber Uber



The one reason Amazon Channels is a "better value" than Netflix and Business Insider

Remove Eye Bags & Wrinkles in Just 1 Minute Knew Were Hotter Than save money every day 'Fifty Shades' Viral Thread

## Sponsored Content

**How To Fix Your Fatigue (Do This Every Day) Gundry MD**

**Only 1 in 10 People Can Solve This Forrest Gump Quiz. Can You? DirectExpose**

**Sheets That Always Feel Like The Cool Chris Pratt Admits He Was 'Caught Off Guard' by 'Passengers' Criticism**

## More From Variety

**All-Star 'Murder on the Orient Express' Cast Assembles in London**

**M. Night Shyamalan Unveils 'Split'/'Unbreakable' Sequel Starring Bruce Willis, Samuel L. Jackson**

**'Passengers' Director Chris Pratt Admits He Was 'Caught Off Guard' by Movie's Criticism**



Don't Create Your Own Category Until You See This Site Wayfarer

How To Repair Orange Skin: The

**Essential DIY Guide****Health Headlines****Your Guide For Wearing This Season's****Hottest Denim Looks**

Shop Spring

Jennifer Lawrence's Sexy Red

**Sparrow' Trailer Seduces CinemaCon****T.J. Miller, Jessica Henwick Join****Kristen Stewart in Thriller****'Underwater' (EXCLUSIVE)****Daniel Craig, Pierce Brosnan, Sean****Connery Pay Tribute to 'Magnificent****Bond' Roger Moore**

Recommended by

Sponsored by Amazon Prime Video

## **Can't Stop, Won't Stop Watching These Addictive Shows**

Five hilarious TV buffs discuss why Bryan Cranston's "Sneaky Pete" and "Fleabag", starring Phoebe Waller-Bridge, are two must watch addicting series



[Read More](#)

© Copyright 2017 Variety Media, LLC, a subsidiary of Penske Business Media, LLC. Variety and the Flying V logos are trademarks of Variety Media, LLC.

[Variety411: Your production services resource](#)

# **Exhibit L**

# Sony chases down Wiczyk for 'Commercial'

Dana Harris

 [@theknife](#)

AUGUST 1, 2000 | 12:00AM PT

## ***Konrad nabs spec actioner for low- against mid-six figures***

Tyro screenwriter Roee Wiczyk has sold a spec with the truth-in-advertising handle of "Untitled Commercial Youth-Oriented Action Film" to Sony-based producer Cathy Konrad's Konrad Pictures in a low- against mid-six-figure deal.

Summit Entertainment is circling to partner with Sony to take foreign rights on the pic, which is pitched as a twentysomething's take on "The Treasure of the Sierra Madre."

Sony exec production VP Matt Tolmach and creative exec Jonathan Kadin brought the script into the studio with Konrad's director of development, Jeanne Allgood.

Wiczyk is repped by Jeff Graup and Alex Goldstone at Graup Entertainment and attorney Howard Abramson of the law firm Behr and Abramson.

***Want to read more articles like this one? [SUBSCRIBE TO VARIETY TODAY.](#)***

## **Sponsored Content**

Recommended by



Hollywood Actress Tells Why Amazon Channels is Fans Stunned As Don All: "I Felt Bloated, Tired, a "better value" than and Unhealthy... Now I Activated You

Knotts Blurts Out Why He Left 'The Andy Griffith Definition

Business Insider



How Uber Gave This Chicago Dad Financial Freedom Uber

Watch Anything On Your TV With This Brilliant Life Hack lifestyle Research

Here's Why You Should Sign Up and Drive for Uber

## Sponsored Content

*People Are Racing To Get These Invisible Hearing Aids* Hear.com

*Can hearing aids deliver better than normal hearing?* Hear.com

*California Homeowners Eligible for No Cost Solar...* The Solar Institute

*20 Of The Fastest Military Jets Ever Built* theBrofessional

*These 23 Questions Analyze Your Level of Education* Definition

*Test Your War Movie IQ By Identifying These 50 Scenes* Zoo

## More From Variety

*All-Star 'Murder on the Orient Express' Cast Assembles in London*

*Daniel Craig, Pierce Brosnan, Sean Connery Pay Tribute to 'Magnificent Bond' Roger Moore*

*Cannes Film Market Adds HAF, Vilnius, New Horizons, Thessaloniki to Pix-in-Post Showcases*

*Jennifer Lawrence's Sexy 'Red Sparrow' Trailer Seduces CinemaCon*

*HanWay Films' Gabrielle Stewart on What Independent Distributors Look for in Acquiring Films*

*Chris Pratt Admits He Was 'Caught Off Guard' by 'Passengers' Criticism*

Recommended by

# **Exhibit M**

# Google Groups

---

## Mr. Showbiz article

---

**Sophie2**

Jan 20, 1999 12:00 AM

Posted in group: **alt.fan.val-kilmer**

Here's a nice long interview on Val. Too bad about his disagreement with Kevin Spacey. I wonder if Val would do a movie with him, feeling the way he does? Too bad. I would have loved to see those two in a movie together.

MR. SHOWBIZ....

What's a few thousand dollars in old debts between wealthy, successful movie stars? Plenty, according to Batman-that-was Val Kilmer, who has a bone to pick with fellow thespian Kevin Spacey.

Seems the Oscar-winning Spacey has been in Kilmer's doghouse for quite some time, according to comments the famously temperamental star of the new romantic drama *At First Sight* made in a recent interview with Mr. Showbiz.

It all goes back to the late '70s, when both were students at Juilliard. As Kilmer tells it, his late father, Eugene, was "hustled" by the *Usual Suspects* star, who claimed he was about to default on his tuition payments and asked the senior Kilmer for a small loan. According to Kilmer, Spacey knew he was about to quit school when he asked for money.

"It was, like, \$18,000," Kilmer remembers. "My dad thought we were best friends so he wrote him a check."

Years later, the two crossed paths after both had gone on to establish flourishing acting careers. As Kilmer recalls it, "I said, 'Congratulations. You're doing great, but you ought to pay my dad back. I don't have much to say to you till you do that.' He sent my dad a thousand dollars and some sad-song letter that was all lies."

Not surprisingly, Spacey sees things in a rather different light. When Mr. Showbiz asked for his thoughts regarding Kilmer's claims, his publicist told us, "Ten years ago Mr. Spacey repaid in full an \$800 loan, with interest, made by Eugene Kilmer in 1979 to help towards his first year's college expenses."

Apparently Kilmer's ill will hasn't rubbed off. Spacey's publicist further states that the Oscar-winning actor feels "strongly" he would not have ascended to his present status among Hollywood's elite without "the generous support of [Eugene] Kilmer, and many like him."

There was even a kind word for his accuser, to whom Spacey remains "particularly grateful" for having pointed him to Juilliard in the first place. Awww.

VAL Kilmer wants you to like him. Having come off a string of high-profile action duds (*The Saint*, *The Ghost and the Darkness*), a major sci-fi fiasco (*The Island of Dr. Moreau*, after which director John Frankenheimer swore he'd never work with the actor again), and a bitter divorce from actress Joanne Whalley, the notoriously difficult actor seems eager to show his kinder, gentler side.

Kilmer can currently be heard as the voice of Moses in DreamWorks' animated family epic *The Prince of Egypt*. It's his latest shot at slipping into the

shoes of a cultural icon, something the actor does with surprising ease. After all, his best (and most flamboyant) performances—Jim Morrison in *The Doors*, Doc Holliday in *Tombstone*—are startling impersonations of real-life historical figures.

But Kilmer's latest role is infinitely more tricky. At *First Sight* is an intimate love story with a twist. "What if you fall in love at first sight and you can't see?" the actor says. In the film, he plays Virgil Adamson, a blind masseur who is convinced by his architect girlfriend (Mira Sorvino) to undergo experimental surgery to regain his sight. Based on a true story documented by Dr. Oliver Sacks, *At First Sight* sometimes succumbs to sentimentality but Kilmer's sensitive, nuanced acting manages to skirt the goo.

Clad in a Hugo Boss leather jacket and purple-tinted John Lennon shades, the actor chatted openly about playing blind, playing Batman, and playing with his kids.

\*\*Was playing a blind person a big challenge?\*\*

It's probably the hardest role I've ever played. The premise couldn't be more simple and yet more complex: What if you fall in love at first sight and you can't see? The fact that it's a true story doesn't matter. It doesn't matter that *Titanic*'s a true story. It's a love story. Take the love story out and you'd have nothing. And I think it's really Mira's character's love and belief that inspires Virgil to see. The way that we tell the story is that she made him something he was not.

\*\*Mira Sorvino said you made her role easier because when you were playing the character blind, even though you would react to her, there was nothing in your eyes. Can you talk about how you achieved that?\*\*

It was a lot of work. There are things that seem effortless to us that for Virgil take a lot of effort. Just keeping his clothes neat, making sure his shirt's tucked in. These are things that even when we can see, we still mess up. I'm always doing that. But for Virgil it takes a lot of practice. I went to New York really early on to rehearse for the role. I spent quite a bit of time with my eyes closed in my room or with contact lenses on where I couldn't see. And then I went out on the street and in the subway.

\*\*Did you go out by yourself?\*\*

Yeah. By myself and with friends. It was actually harder with friends. It was very frustrating. They'd say, "Watch out!" But they didn't say "Watch out for what?" If a dog was loose, they wouldn't tell me what direction he was coming from.

\*\*Did people on the street try to help you?\*\*

Some did and some didn't. It's a very deep experience to stand on the street and ask for directions, knowing someone's standing next to you but they won't answer. They don't want to bother. It's an awful kind of pity. It's as though there's something wrong with you because you're blind. And for a lot of blind people I talked to, it's a question of pride. It's hard to admit that you're lost. Children don't like to get lost, but imagine being in that condition as an adult. It's very tough.

\*\*Did you use any blind people as inspiration for your character?\*\*

My friend Michael. He's a sculptor in Santa Fe [N.M.] who lost his sight in Vietnam from a hand grenade. I've known him for years, so it was easy to work with him. He has a miraculous spirit and a great sense of humor. He says, "My first date. It was a blind date." He can tell jokes for hours.

Another inspiration were Shirl and Barbara Jennings, the real-life couple the film is based on. They're so in love and so attentive to each other. It was wonderful to watch. I also became friends with a blind masseur in White Plains.

\*\*What did you learn from him?\*\*

A lot, because Virgil has the same job in the film, so it was my good luck. He read the script and was very soulful and insightful. He had a lot of interesting ideas. For instance, he was very attached to his seeing-eye dog, so he was always lobbying for more dog scenes. It's a very important relationship for a blind person. There was a line toward the end of the film where I say that my dog has been put out to pasture, and some of the focus groups that saw the film were very upset. Irwin [Winkler] almost re-shot the scene because people were upset that it sounded like the dog was dead. Also, in another example of just strange good luck, he had met a woman who didn't know he was blind, and they had their first conversation on the phone. And we talked about the oddness of when you tell someone you'd like to date that you're blind. Sometimes he'll wait until he gets a feeling about them because he feels like they might cancel.

\*\*You said it was especially hard to play Virgil after he regained his sight. Why do you think that was?\*\*

It's hard to describe. If Virgil closes his eyes and feels a table, he knows what it is but it's very different when he sees it. It was hard to accurately capture that physical state. Because the absolute reality is that it takes much longer to regain sight than we could dramatize on-screen. What we filmed is as realistic as we could make it, but Virgil just couldn't have learned that quickly what a door looks like. I'd tell Irwin, "I can't do that." He'd say, "Why?" and I'd say, "Because I can't see it." He'd say, "Well, OK, can't you just do the scene anyway?" We have that scene where Virgil first comes back to Amy's apartment and is surprised to see the balloons she put up. But the reality is that he would have found the sight of the bed equally bizarre. It would be a much longer process for him to understand what he sees. But it would have been distracting from the love story.

\*\*As Virgil, you captured the way a blind person might physically hold himself. Did you find that these physical characteristics were common in all blind people?\*\*

The two extremes are you're either very rigid—which the masseuse was. He'd talk about it. It was a problem for him because it made people very nervous. There's also this rocking thing that blind children do. But kids just don't care what you think. We had Virgil go to both extremes so Irwin could pick and choose what he wanted in the film. I even rock a lot now. It feels good. [Laughs.]

\*\*You had a few scenes working with blind children. What was that like?\*\*

Some of them handle it better than others. There was this one black boy who was just angry. It was tough to watch him because you could tell. Some see better than others so they don't want to be treated like they can't see. In some ways it was really exposing, because we're really not that different than they are. If you take the physical blindness aspect away from the film, it would be the exact same film. Just a story about a guy from out of town who's never seen New York before. When I moved to the city, I was 17, and it took me an hour to get from 64th Street to 72nd. I felt like one of the Beverly Hillbillies.

\*\*Your character Virgil is more comfortable living a quiet life in the country than he is at living in New York City. Are you similar off-screen?\*\*

Yeah. I've been living in Santa Fe, N.M., since 1983. I've been going back and forth between there and New York.

\*\*Are you still a celebrity in Santa Fe, or are you able to be a more anonymous type of guy?\*\*

They don't care about actors there. It's an artistic, multicultural community. There're a lot of eccentric characters out there and people who make enormous contributions to their community. If you've been to Santa Fe, you're kind of stuck with the tourist aspects of it, but there's a feeling underneath and a soul to it. It comes from the quality of the lives of the community. I'm grateful to expose that to my children, because I think it's vanishing out of our culture everywhere. Even New York. Since I was there in the 1970s things have changed.

\*\*In the new Giuliani-family-friendly city?\*\*

The Hungarian section of the East Village has vanished. Even in Greenpoint, where most of the signs are written in Polish, it's now gentrified.

\*\*What are you working on next?\*\*

I have a film that will be at Sundance called Joe the King. Frank Whaley wrote it and directed it. He's a great actor and comedian. He asked me to play his dysfunctional alcoholic janitor father. This is Frank's real-life story of his childhood. The kids in the film are fantastic. It's reminiscent of The 400 Blows. It's terrific.

\*\*You went to Chatsworth High School with Mare Winningham and Kevin Spacey. Do you still keep in touch with them?\*\*

No, I have no idea what Mare's up to except I just saw the other day that she has a new record out. And Kevin stole money from my dad, so I don't talk to Kevin.

\*\*In high school?\*\*

No. College. We went to Juilliard, and he knew my dad well from high school, and he hustled him. He told him that the school was going to kick him out because he used up his student loans so my dad wrote him a check. Even though Kevin knew he was gonna quit. So he hustled my dad for the money.

\*\*Was it like, a thousand bucks?\*\*

No, it was tuition. It was like, \$18,000. My dad thought we were best friends so he wrote him a check. I ran into Kevin years later, and he had made some movies and probably won a Tony by then. I said, "Congratulations. You're doing great, but you ought to pay my dad back. I don't have much to say to you till you do that." He sent my dad a thousand dollars and some sad-song letter that was all lies. And my dad died, [about] 1992 or '93, right before I started Tombstone. So I'm gonna have to [have Spacey] pay for the college education of my children.

[Kevin Spacey's publicist responds: "Ten years ago Mr. Spacey repaid in full an \$800 loan, with interest, made by Eugene Kilmer in 1979 to help towards his first year's college expenses. He has always been grateful for the opportunity this afforded him and feels strongly that without the generous support of Mr. Kilmer, and many like him, he would never have achieved the success he has today. He is particularly grateful to Val for having suggested he apply to Juilliard in the first place."]

\*\*What was it like working on The Prince of Egypt?\*\*

Oh, it just gave me quivers. It was just an amazing group of artists. I don't know if Jeffrey [Katzenberg] really got credit for [having] the courage to make such an unusual breakthrough animated film. I can't say enough about it. It's a classic.

\*\*Any trepidation about playing the character of Moses?\*\*

No, because the three directors on that film and Jeffrey really created a warm feeling of collaboration. They were so thorough about everything. I didn't really have concerns because they had talked to so many religious scholars. [That's] the kind of thing that an actor usually has to do himself. [Pauses.] That's the most bacon I've ever had in my whole life.

\*\*Did you see ever see Batman and Robin?\*\*

Half of it. The same half everybody else saw, but I had to turn it off. Especially when I saw a picture of that silver bat suit. Wow. It was hard enough wearing the black one.

\*\*Do you see yourself doing more independent, small-scale films in the future?\*\*

I would love to do a movie just like this every year. I've really been fortunate in that nothing I've done has ever prevented me from doing anything else. That happens all the time, unfortunately. It depends on who you are and the kind of rhythm in which you work. Bruce Willis comes to mind. If [he'd taken] two and a half years off after he did Hudson Hawk, he probably would've been in trouble. But he just loves to work, and that's his rhythm. I'd like to work more on projects that don't take so long to do. Even Heat. I didn't play the lead in that [movie], but it took forever. I started it the day after Batman Forever, and it just took [nearly] as long—about four and a half months. It took about 14 days total to do the shootout scene. Every Sunday, forever. Go down to L.A. and blow it up. It must've been really weird for the people working in the area. Thousands of rounds of bullets. He [director Michael Mann] had 11 cameras on that [scene].

\*\*Now that your divorce is over, are you more comfortable talking about it?\*\*

The last couple of years have been pretty difficult because of my divorce and custody issues. That's something I never talked about in the press because I didn't think it was the right thing to do. Now that the trial's over, I don't feel so bad about telling the truth of it. I never lied. I just didn't think it was appropriate to talk about. That was really a damaging time; to say that I can't co-parent my children is pretty vicious stuff. But, unfortunately, that's what happens with divorce.

\*\*Your ex-wife, Joanne Whalley, is British. So does that mean half of the year the kids are raised in England?\*\*

They live here. That was one of the dramas going on. But there were certain periods of time when it would have been legal for her to just take the children, which was really terrifying.

\*\*So they have to stay in this country even though you have joint custody?\*\*

Yeah. She could move. But the kids have dual passports. All children in the United States who have a foreign parent do until they turn 18. [Pauses.] I can't remember the question. Did we answer it?

\*\*Are you a real hands-on dad off-screen?\*\*

Yeah, I am. My kids really deepen my sense of gratitude for having what I have. They also really energize me. Just over Christmas my 7-year-old daughter took up skiing. My 3-year-old son is fearless, so I thought he would really jump on it too, but he didn't. He'll usually do anything she does, but he was very happy just staying in. But [when] I was a kid, I really appreciated that my parents didn't push things on us. And the mountains aren't going anywhere.

# **Exhibit N**



projectgreenlight.com

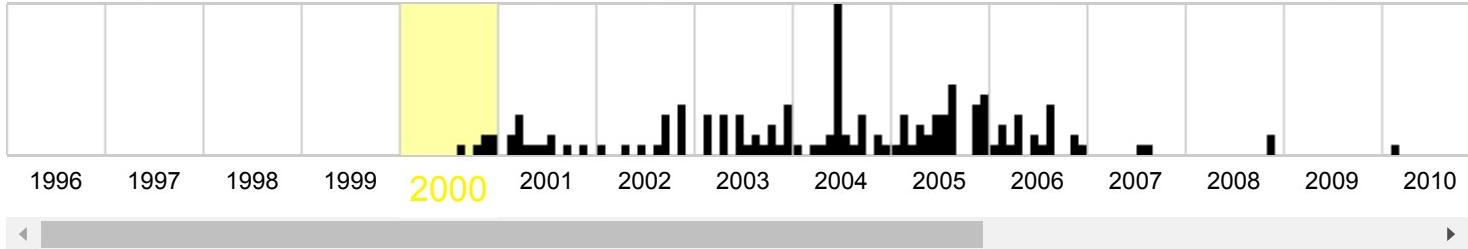
Feedback

Explore more than 300 billion web pages saved over time

Saved 252 times between August 15, 2000 and July 8, 2017.

### Summary of projectgreenlight.com

**PLEASE DONATE TODAY.** Your generosity preserves knowledge for future generations. Thank you.



JAN					FEB					MAR						
					1		1	2	3	4	5		1	2		
2	3	4	5	6	7	8	6	7	8	9	10	11	5	6	7	
9	10	11	12	13	14	15	13	14	15	16	17	18	19	12	13	14
16	17	18	19	20	21	22	20	21	22	23	24	25	26	19	20	21
23	24	25	26	27	28	29	27	28	29					26	27	28
30	31													29	30	31

APR							MAY							JUN							
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10	
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30		
30																					
JUL							AUG							SEP							
							1	1	2	3	4	5								1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30	
30	31																				
OCT							NOV							DEC							
1	2	3	4	5	6	7		1	2	3	4									1	2
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30	
														31							

## Note

This calendar view maps the number of times projectgreenlight.com was crawled by the Wayback Machine, *not* how many times the site was actually updated. More info in the [FAQ](#).

# **Exhibit O**



triggerstreet.com

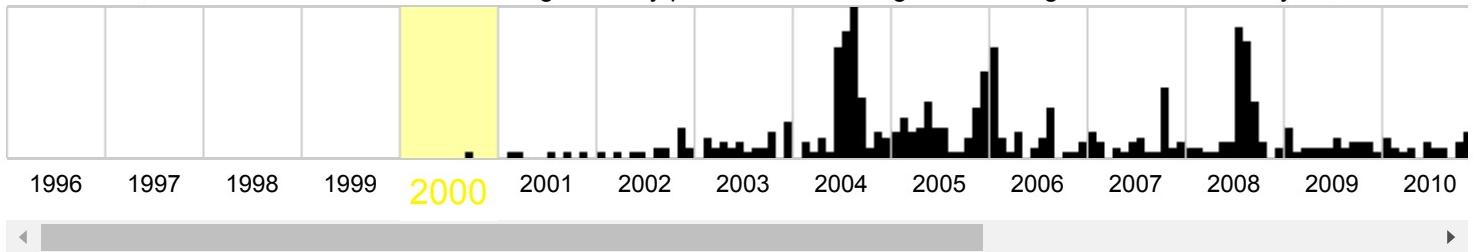
## Feedback

Explore more than 300 billion web pages saved over time

Saved **809 times** between September 3, 2000 and July 12, 2017.

## Summary of triggerstreet.com

**PLEASE DONATE TODAY.** Your generosity preserves knowledge for future generations. Thank you.



APR							MAY							JUN							
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10	
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30		
30																					
JUL							AUG							SEP							
							1	1	2	3	4	5								1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30	
30	31																				
OCT							NOV							DEC							
1	2	3	4	5	6	7		1	2	3	4									1	2
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30	
														31							

## Note

This calendar view maps the number of times triggerstreet.com was crawled by the Wayback Machine, *not* how many times the site was actually updated. More info in the [FAQ](#).

# **Exhibit P**

## Actors and actresses

**NEWS**

The latest news  
News in pictures

**CHANNELS**

Celebrities  
Actors and actresses  
Musicians  
Fashion and models  
Royalty and statesmen  
Health and Beauty  
Travel  
Canada

**IN-DEPTH****Videos**

Specials/Galleries  
Profiles

British TV celebrities

**INTERACTIVE CLUB**

Horoscope  
Postcards  
Quizzes/Games  
Competitions

Most Attractive Woman  
Most Attractive Man  
Most Elegant Woman

## Dating

**SERVICES**

News feed  
Tickertape  
Contact us  
Register

**HELLO! MAGAZINE**

This week's issue  
Subscriptions



The *American Beauty* star, seen here with jewellery designer Jade Jagger, was in London to kick off his new talent search website  
Photo: © Alphapress.com

[Click on images for gallery](#)



Helena Bonham Carter and her boyfriend, director Tim Burton, were among the guests supporting Kevin in his new endeavour  
Photo: © Alphapress.com

## STARS HELP KEVIN SPACEY LAUNCH BID TO AID ASPIRING FILMMAKERS

28 NOVEMBER 2002

Kevin Spacey's star status should help guarantee that his latest project – a website aimed at finding the next generation of would-be filmmakers – is a success. The actor was certainly able to generate some high-voltage celebrity support on Monday, with famous faces from Sir Paul McCartney to Oscar nominee Helena Bonham Carter turning out in London to help him kick off the high-tech talent search.

The *American Beauty* actor admits his own road to Tinseltown wasn't always easy – and that's what led him to develop [www.triggerstreet.com](http://www.triggerstreet.com), which gives aspiring filmmakers a place to post their work. "I know what that feels like, and I never want to forget it," he says. "I was lucky, I was an actor. If you are a writer or director, you can't even audition."

Those who sign up on the site will have a chance to submit scripts and films, and may also evaluate the submissions of others. Kevin's production company Trigger Street is behind the project, and will have an option for 90 days on scripts and films voted into the website's top ten.

The new endeavour also features plans for a short film festival, judged by Hollywood stars such as Sean Penn, Ed Norton and Mike Myers.

Big name supporters at last night's event included Geri Halliwell, Joseph Fiennes, Jade Jagger, Jeremy Irons and Peter O'Toole.





**FILM**

[Profile on...  
Demi Moore](#)



[Make hellomagazine.com your home page](#) | [Advertising in the magazine](#) |  
[Advertising on the website](#) | [Disclaimer](#)

© 2001-2007, HELLO! All rights reserved.

# **Exhibit Q**



## Cyber Spacey

Kevin Spacey last visited Britain as Bill Clinton's conference sidekick. This time, he comes as a businessman, touting a website that helps new film-makers. Sean Clarke gets the sales talk

**Sean Clarke**

Wednesday 27 November 2002 10.11 EST

Kevin Spacey is in town to talk about his new website, and talk about his new website he will. He breezes in to a trendy West End hotel in a smart suit and tie. To complete the picture, his former assistant and current business partner arrive bearing bucket-sized lattes, like retro remnants from the golden days of the startup.

The website, TriggerStreet.com, is an adjunct to Spacey's production company, and aims to provide a forum for unsigned film makers and screenwriters. He says it's all about "sending the elevator down", although one senses that he's waiting at the top to reap any benefits. Under the scheme, his production company gets first dibs on any script that makes it into the site's top 10, as voted on by visitors

Spacey is incredibly businesslike about the whole affair, discussing how his sponsors meet his overheads, what the latest hit count and subscription rate is, and his global marketing plans for the site. At one point, he grins devilishly after a question about sponsorship, and announces - to camera, as it were, "I do like a good Bud." A minute later, he's explaining his first-look clause with classic businessman rhetoric ("we were born at night, but not last night") This is Spacey as salesman, an offshoot of his Glengarry Glen Ross persona. There's little trace of the spiky, defensive Spacey one often reads about; today it's strictly quips, not carps.

But at other times, the caring liberal gets an outing. "'You have to send down the elevator' was something Jack Lemmon once said to me," he says, and some of the hard edge falls out of that velvet voice. "He was a great mentor to

me, and there were so many films that wouldn't have been made without him. I've done well because people like him believed in me."

He says the principle of giving the next generation a helping hand is quite widely held in Hollywood, and that people there don't see him as a saint for setting out to help new talent. "I have no idea how I'm perceived, but it's a philosophy I know is shared in the industry. There are people with gigantic egos who only care about themselves," he concedes, before leaning low over the table and saying, almost menacingly, "luckily, I don't have to work with any of those people."

He is genuinely excited, too, when putting himself in the shoes of unsigned film makers using his website. "There was a moment at the launch party in LA I looked across the room, and there was a cluster of people gathered around a plasma screen watching a short film that had been uploaded that afternoon, by a new film-maker. It was Sydney Pollack, Alan Parker, Billy Crystal, Jay Roach [the Austin Powers director] and Sheryl Crowe. And I thought, that film-maker had probably never thought that people of that calibre would be watching his movie, let alone all at one time."

So why has he come to England to launch the site, I ask, hoping for something about encouraging British talent, and prepared for some fluff about how much he likes it over here. Instead, he says that it's all part of a global marketing strategy, and it's down to his co-producer, Dana Brunetti, to give me the spiel about how the British are passionate about film.

"Of course," says Spacey, belatedly, "I have a great track record of working with Brits."

His great track record with British luvvies includes Sam Mendes (under whose direction he won a best actor Oscar), Judi Dench, Alan Parker, and many more. I ask if he'll be looking anyone up while he's in London.

Spacey fixes me with a cold, blank look. Have I said something wrong? Or is simply that Spacey is so famously private about his off-screen existence that he interprets even the most innocuous enquiry as tabloid-style door-stepping?

"I mean," I say warily, "will you be catching up with Sam Mendes?" Presumably it's the right thing to say, for Spacey retrieves his salesman's grin.

"Yes, will be seeing people while I'm here. I even hope to get to the theatre," he adds, presumably in reference to Mendes's celebrated run of Uncle Vanya at the Donmar. He'll be lucky to get tickets.

Asked whether he himself will return to the London stage, he says definitely yes. He doesn't know when, or to do what, but, "I know which boards I shall be treading - those of the Old Vic."

If so, it will be a far cry from the actor's last visit to these shores, accompanying pal Bill Clinton to the Labour party conference. But Spacey is quick to point out that it wasn't the conference he was here for.

"I was in town, but I didn't come for that purpose. I was on a 12-day visit with the former president to Africa. So while there was a whole load of speculation, I heard, after I left about what was I doing at the conference and who was I trying to influence" (he stresses the second syllable) "in fact if they'd done their work, instead of speculating, or even if they'd just asked the question, they'd realise that I'd been on a trip and he just asked me to come along."

He says he's glad he did. "At least you guys get a chance to get up once every year and talk about your issues. We have a convention, it's every four years, and it's all about the election." Spacey is quite serious about politics, a seriousness which he says goes back to stuffing envelopes for Jimmy Carter at high school. "I enjoy politics," he says. "I think a lot of things can get done in politics. I'm not cynical about it. And I think stuffing envelopes is very important."

He's somewhat less optimistic about the future of film, or rather, the future of cinema, and sees digital film, and digital distribution as becoming increasingly important. "Even now," he says, "theatrical release for middle and smaller films is a difficult road to go down. It's all geared to big three-day weekends." So in future, he thinks, film-makers will find other ways to get their films out.

"You know, people come up to me sometimes and they ask 'When is your film coming to Fresno? When is your film coming to Albuquerque?' And the answer sometimes is 'That film isn't coming to Fresno'. Because if it doesn't do well in the big cities, they're not going to roll it out." The answer, he says, for film-makers who want to get their film out, is to "go direct to the consumer." Which is where his website comes in.

Spacey tells an anecdote about the original idea for the site, which is essentially Brunetti's brainchild. He says they "came up with a sketchy plan, which at the time..." and chuckles wryly, on which cue Brunetti take up the story "... which at the time, we thought was great." They both shake their heads ruefully. Later, I watch as the pair address a press conference, they repeat the story, with exactly the same pauses, the same chuckle, the same interruptions. It's beat-perfect, like a Mamet script. It makes me wonder if my idea that I've been talking to Spacey the salesman is taking it too far. Maybe it is just Spacey the actor, taking on another role.

## Since you're here ...

... we've got a small favour to ask. More people are reading the Guardian than ever, but far fewer are paying for it. Advertising revenues across the media are falling fast. And unlike many news organisations, we haven't put up a paywall - we want to keep our journalism as open as we can. So you can see why we need to ask for your help. The Guardian's independent, investigative journalism takes a lot of time, money and hard work to produce. But we do it because we believe our perspective matters - because it might well be your perspective, too.

If everyone who reads our reporting, who likes it, helps to support it, our future would be much more secure.

Become a supporter

Make a contribution

Topics

- Movies
- features

# **Exhibit R**

Our Terms of Service and Privacy Policy have changed.

By continuing to use this site, you are agreeing to the new [Privacy Policy](#) and [Terms of Service](#).



[Log In](#)

U.S. +

[Business](#) [Markets](#) [Tech](#) [Media](#) [Personal Finance](#) [Small Biz](#) [Luxury](#) [stock tickers](#)



## Anheuser-Busch to launch Bud.TV

In an effort to find young male viewers, brewer is set to debut its own Web-based television network in February.

September 6 2006: 9:37 AM EDT

NEW YORK (CNNMoney.com) — Web surfers, this Bud.TV is for you.

Brewer [Anheuser-Busch \(Charts\)](#) announced Wednesday that it will launch a Web-based video network, named Bud.TV, in February. The company says it will feature new humorous webisodes, sporting events, consumer-generated content, field news reports, celebrity interviews, music downloads and comedian vignettes. The company said the network videos will allow users to view the content in full-screen DVD quality.

Content providers will initially include Wild West Picture Show Productions, TriggerStreet.com, LivePlanet, SEED, @radical.media, Omelet and DDB Worldwide, and the company said more providers will be announced in the future.

"We're always looking for new opportunities to connect with adult consumers on a more personal level," said a statement from company president August Busch IV. "With adults spending more time online looking for entertainment to fit their lifestyles, we believe Bud.TV will enable us to reach them in an engaging and fun way."

Anheuser-Busch is already a major advertiser on television and other traditional media, with U.S. ad spending of \$606.7 million last year, according to *The Wall Street Journal*, citing statistics from TNS Media Intelligence. But the brewer's target audience of young male viewers has become more difficult to reach in recent years through traditional television programming.

"Traditional broadcast TV doesn't target to the male 21- to 34-year-olds; it tends to be a broader demographic and a more female draw," Tony Ponturo, Anheuser-Busch's vice president of global media and sports marketing, told the *Journal*. "So we are taking it upon ourselves to provide programming that hits that target base."

In 2007, Anheuser-Busch will dedicate about 10% of its U.S. ad budget to online, according to the *Journal*, about double the percentage it is spending this year, including online ads on third-party Web sites as well as Bud.TV.



Anheuser-Busch is set to start the Web-based network Bud.TV in February.

[Turning viral videos into a net brand](#) ■

[SAVE](#) | [EMAIL](#) | [PRINT](#) | [RSS](#) | [REPRINT](#)

### More Fun Money

Citigroup sues pawnshop over logo

Partridge, pear tree, etc.: \$86,609

'Bailout' is 2008 word of the year

### Top Stories

Trump's first budget: Trillions in cuts

America's safety net at risk from Trump's budget ax

Strong North Korea links to global cyberattack

Trump's budget: Big gifts for rich, big cuts for poor

British police: Fatalities after incident in Manchester

### YOUR E-MAIL ALERTS

Follow the news that matters to you. [Create your own alert](#) to be notified on topics you're interested in.

Or, visit [Popular Alerts](#) for suggestions.

[Manage alerts](#) | [What is this?](#)

### Content

### Tools

### Connect

Contact Us

Business

Personal Finance

Site Map

Loan Center

My Account

YouTube

User Preferences

Markets

Small Business

Interactive

Calculators

Mobile Site & Apps

RSS Feeds

Closed Captioning

Investing

Luxury

Job Search

Corrections

Facebook

Newsletters

Economy

Media

Real Estate Search

Market Data Alerts

Twitter

Google+

Tech

Video

News Alerts

LinkedIn

Most stock quote data provided by BATS. Market indices are shown in real time, except for the DJIA, which is delayed by two minutes. All times are ET. Disclaimer: Morningstar: © Morningstar, Inc. All Rights Reserved. Factset: FactSet Research Systems Inc.. All rights reserved. Chicago Mercantile Association: Certain market data is the property of Chicago Mercantile Exchange Inc. and its licensors. All rights reserved. Dow Jones: The Dow Jones branded indices are proprietary to and are calculated, distributed and marketed by DJI Opco, a subsidiary of S&P Dow Jones Indices LLC and have been licensed for use to S&P Opco, LLC and CNN. Standard & Poor's and S&P are registered trademarks of Standard & Poor's Financial Services LLC and Dow Jones is a registered trademark of Dow Jones Trademark Holdings LLC. All content of the Dow Jones branded indices © S&P Dow Jones Indices LLC and/or its affiliates.

# **Exhibit S**

# bud.tv

From Wikipedia, the free encyclopedia

**bud.tv** was a marketing venture of the Anheuser-Busch brewing company (the manufacturers of the Budweiser beer brand) in the form of an online entertainment network. The innovative project, which was launched in February 2007 just after the American Super Bowl, was rumored to cost more than \$30 million in its first year. The head of the project, as well as its originator, was Jim Schumacker, an executive at A-B.

The first attempt by a consumer product company to launch a full-scale TV network with original long-form programming online, the project was met with great anticipation and interest among media and marketing professionals. It failed to attract the expected number of visitors in its first month of operation, however.

In May 2007, A-B contemplated changing strategies to make their content more portable and accessible to users. Rather than forcing users to come to the site, A-B worked on distribution initiatives with partners to email alerts to fans when and where content is airing.<sup>[1]</sup>

Despite expectations that it might fold by the year's end,<sup>[2]</sup> Bud.tv lasted until February 2009 before finally shutting down.<sup>[3]</sup> Possible causes for the site's initial low viewership include a lack of compelling content, the inability to easily share content, and a difficult-to-use age verification system.<sup>[4]</sup> The site's age verification firewall required users to enter personal information from government-issued identification, such as driver's license, before registering in order to discourage under-aged visitors. The site was "sunsetted" in February 2009, officially due to the cost, effort and focus required to maintain an entertainment site of this scale.<sup>[5][6]</sup>

## Contents

- 1 Programming
- 2 See also
- 3 References
- 4 External links

## Programming

The original content on bud.tv ranged from sports to sci-fi to drama, but focused primarily on comedy.<sup>[7]</sup> Writers tapped for bud.tv came from Saturday Night Live and The Howard Stern Show, and deals were made with such Hollywood players as Vince Vaughn,<sup>[8]</sup> Kevin Spacey, Ben Affleck and Matt Damon,<sup>[9]</sup> in addition to sportscaster Joe Buck and race car driver Dale Earnhardt Jr.<sup>[10]</sup> bud.tv's original programming has included a comedy named, "Replaced by a Chimp," a story about an everyday hero starring Tim Meadows entitled, "Ice Vision and Chef," and a show called "Future Man" starring Chris Parnell and Kevin Farley.

Concerns initially arose from critics arguing that the site would be advertising beer and drinking to underage viewers, but according to Robert C. Lachky, executive vice president for global industry development and chief creative officer at Anheuser-Busch, the original programming available on bud.tv has "nothing to do with (Anheuser-Busch's) brands."<sup>[11]</sup> The content makes little mention of Budweiser products at all. The breakout hit for the site came in the form of a discarded Super Bowl commercial entitled "Swear Jar" which, at the time, increased traffic by 50%.

The strategy behind this kind of original content created by companies or advertisers is to reach the exact audience segment intended for a given product, utilizing a "soft sell" technique.<sup>[12]</sup>

## See also

- Afterworld (Sci-Fi Show)
- Anheuser-Busch
- Budweiser (Anheuser-Busch)

## References

1. "How Far Will Consumers Go to See Your Content?" ([http://www.adweek.com/aw/esearch/article\\_e\\_display.jsp?vnu\\_content\\_id=1003590901](http://www.adweek.com/aw/esearch/article_e_display.jsp?vnu_content_id=1003590901)). Adweek. 2007-05-28.
2. "Anheuser's Bud.TV Hits an Online Wall" ([https://www.wsj.com/article/SB117988898882511786.html?mod=todays\\_us\\_marketplace](https://www.wsj.com/article/SB117988898882511786.html?mod=todays_us_marketplace)). Wall Street Journal. 2007-05-22.
3. "R.I.P. Bud.tv" (<http://gigaom.com/video/rip-budtv/>). Gigaom. 2009-02-19.
4. "A Tilt of the Glass to Bud.TV" ([http://adage.com/whentrainsfly/post?article\\_id=116879](http://adage.com/whentrainsfly/post?article_id=116879)). Advertising Age. 2007-05-24.
5. "R.I.P. Bud.tv" (<http://gigaom.com/video/rip-budtv/>). Gigaom. 2009-02-19.
6. "Anheuser-Busch Pulls the Plug on Bud.TV" (<http://adage.com/article/madisonvine-news/anheuser-busch-pulls-plug-bud-tv/134701/>). AdvertisingAge. 2009-02-18.
7. "This Bud's For (Most of) You" (<http://creativity-online.com>). Creativity. 2007-03-01.

8. "Anheuser-Busch freshens up bud.tv" (<http://www.chicagobusiness.com>). Crain's Chicago Business. 2007-04-23.
9. "Bud's Walled Garden" (<http://chicagobusiness.com/cgi-bin/mag/article.pl?id=27807>). Advertising Age. 2007-02-12.
10. Elliott, Stuart (2007-05-21). Marketers Can't Be Wrong: The Future Is in Consumer Behavior&st=cse "Viewers tune out bud.tv programs" (<https://www.nytimes.com/2007/10/15/business/media/15adcol.html?scp=1&sq=1,200>) Check |ur1= value (help). Crain's Chicago Business. Retrieved 2010-04-27.
11. Elliott, Stuart (2007-10-15). Marketers Can't Be Wrong: The Future Is in Consumer Behavior&st=cse "1,200 Marketers Can't Be Wrong: The Future Is in Consumer Behavior" (<https://www.nytimes.com/2007/10/15/business/media/15adcol.html?scp=1&sq=1,200>) Check |ur1= value (help). New York Times. Retrieved 2010-04-27.
12. Siklos, Richard (2007-04-15). "A Soft Sell with Cold, Hard Cash in Mind" ([https://www.nytimes.com/2007/04/15/business/yourmoney/15frenzy.html?\\_r=1&scp=1&sq=A+Soft+Sell+With+Cold%2C+Hard+Cash+in+Mind&st=nyt](https://www.nytimes.com/2007/04/15/business/yourmoney/15frenzy.html?_r=1&scp=1&sq=A+Soft+Sell+With+Cold%2C+Hard+Cash+in+Mind&st=nyt)). New York Times. Retrieved 2010-04-27.

## External links

- <http://www.bud.tv> - Note: This site currently redirects to buds.tv, the logo of which strongly suggests that it will "soon" house content on Cannabis.
- <http://www.nytimes.com/2007/02/04/magazine/04BudTV.t.html?ex=1328245200&en=b5134a4321e868c1&ei=5088&partner=rssnyt&emc=rss>
- [http://www.bud.tv/public/BudTV\\_TermsOfUse.aspx](http://www.bud.tv/public/BudTV_TermsOfUse.aspx)
- [http://www.anheuser-busch.com/press\\_room/2006/BudTV\\_090506.html](http://www.anheuser-busch.com/press_room/2006/BudTV_090506.html)
- [http://www.anheuser-busch.com/press\\_room/Aristotle\\_011107.html](http://www.anheuser-busch.com/press_room/Aristotle_011107.html)
- [http://adage.com/article?article\\_id=116074](http://adage.com/article?article_id=116074)
- [http://adage.com/article?article\\_id=114993](http://adage.com/article?article_id=114993)
- [http://adage.com/digital/article?article\\_id=115068](http://adage.com/digital/article?article_id=115068)
- [http://adage.com/digital/article?article\\_id=114932](http://adage.com/digital/article?article_id=114932)

Retrieved from "<https://en.wikipedia.org/w/index.php?title=Bud.tv&oldid=770064296>"

Categories: American websites

- This page was last edited on 13 March 2017, at 06:42.
- Text is available under the Creative Commons Attribution-ShareAlike License; additional terms may apply. By using this site, you agree to the Terms of Use and Privacy Policy. Wikipedia® is a registered trademark of the Wikimedia Foundation, Inc., a non-profit organization.

# **Exhibit**

**T**



## Putting movies on mobiles

**Mainstream movies get their recognition at awards ceremonies such as the Baftas and Oscars and movies for phones are getting their turn at MoFilm - the first mobile film festival.**

The awards highlight the increasing impact that mobile phones are making in the entertainment industry.

The first ever mobile film awards got a touch of Hollywood glamour as it was hosted by multiple Oscar winner Kevin Spacey.

Describing his involvement, he said: "When I started to hear about MoFilm, I started to hear about what they were trying to do with respect to short films and content being able to go on to people's phones.

"And in some cases realising that, in some countries, this might be the first time they ever see a movie," he said. "They won't see it on that big screen, they'll see it on a small one."

### New platforms

Many aspiring filmmakers are frustrated by the lack of opportunities to screen their work but mobile phones are increasingly being seen as a new platform for these short works.

"Just the notion that yet there is another place - a further journey for artists, film-makers, documentarians - anyone who wants to express themselves and find a way to have that expression be seen by a wide audience," said Mr Spacey.

"When you think about how many people have mobile phones in the world, it's pretty ridiculous," he added.

The MoFilm competition received 250 entries from more than 100 countries. Entries were restricted to films that were five minutes or less in length - ideal for viewing and sharing on mobile phones.

An independent jury then selected a shortlist of five film-makers from which a winner was chosen by an audience voting using their phones at the Mobile World Congress.

"English as a Second Language" produced by Frank Chnindamo and directed by Jocelyn Stemat, won the MoFilm grand prize.

"This is about giving people in other countries a platform, and an ability to show their work, I'm here to support an idea that's about other people," said Mr Spacey.

"Purists may hate this but guess what guys, this is what our kids are looking at, they are engaged in this, they want this device.

"This is about people who are inspired and kids want this, they are more informed, they get it," he added.

The majority of films made for mobiles are short in length, taking into account the screen size, however this could be overcome as technology advances.

**" It is an incredible opportunity, particularly for young emerging film makers "**  
Kevin Spacey

"I'm not sure that something could be longer than ten minutes and be able to sustain itself on that kind of screen," said Mr Spacey.

"Although, I know that one of the things we are learning here is that there are mobile companies that are creating phones that have the ability to watch stuff at higher quality."

MoFilm is pioneering content for mobile and online services that Mr Spacey feels is a world away from Hollywood.

"I am the only person from the film industry here, I see its potential, I get it," he said.

"It doesn't seem to me that other people are aware of it yet but I can see where it's going to be in five or ten years time.

"It is an incredible opportunity, particularly for young emerging film makers."

### **Start here**

Mr Spacey's involvement with grass roots movie makers does not begin and end with hosting the MoFilm ceremony. Mr Spacey co-founded the Triggerstreet website that allows budding film-makers to showcase their work.

"I started the website about six years ago, and we now have close to 400,000 members around the world," he said.

"We started out with short films and we've done a whole series of short film festivals on the site.

"There are screen plays, plays, there's novels and now comic books which we just started - it's become a platform for independent film makers.

"One of the things we've learned at Triggerstreet, cause when we started, we didn't quite frankly know whether we were going to get wedding videos and porno.

"The quality of work and the simple ability at story telling, the thing that ignites someone and inspires them to tell a story, can really come from anywhere," he added.

**Digital Planet is broadcast on BBC World Service on Tuesday at 1232 GMT and repeated at 1632 GMT, 2032 GMT and on Wednesday at 0032 GMT.**

**You can listen**

**or download the**

Story from BBC NEWS:  
<http://news.bbc.co.uk/go/pr/fr/-/2/hi/technology/7908414.stm>

Published: 2009/02/27 11:33:32 GMT

© BBC 2017

# **Exhibit U**

The New York Times |

---

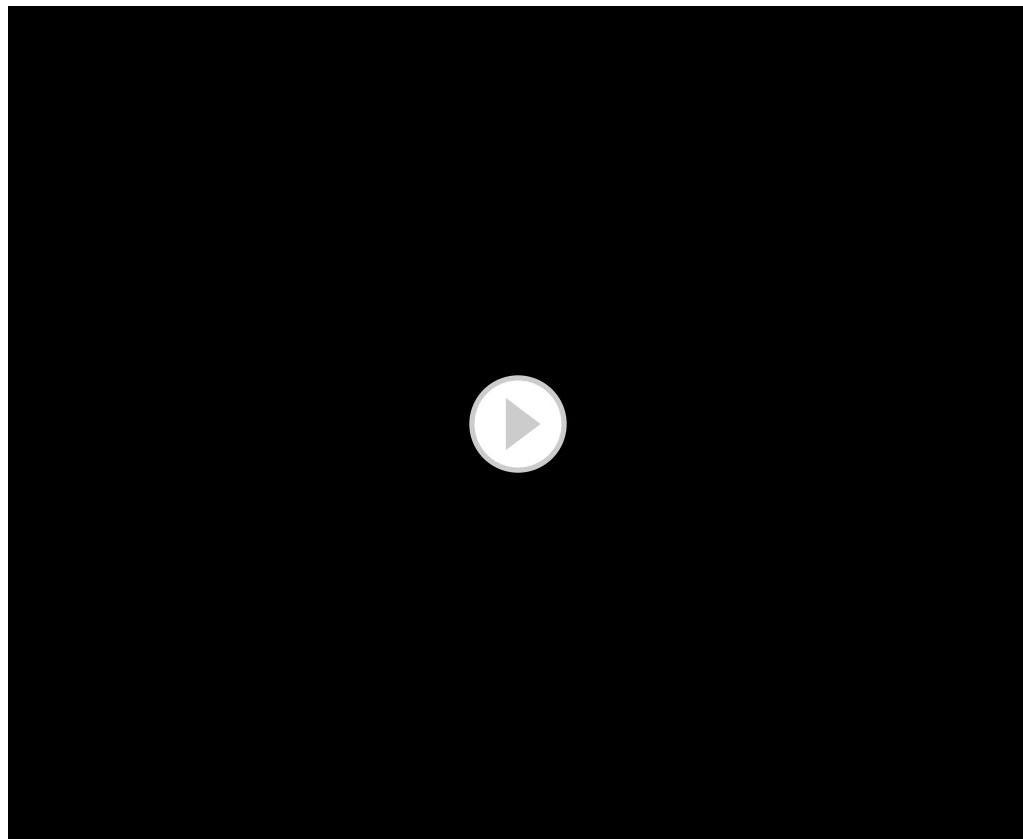
MEDIA

## A Merger of Agencies Shakes Up Hollywood

By MICHAEL CIEPLY APRIL 27, 2009

LOS ANGELES — After months of discussion and rumors, two of the entertainment industry's largest talent agencies, William Morris and Endeavor, agreed on Monday to merge as William Morris Endeavor Entertainment.

Hollywood is scrambling to shore up traditional movie, television and music businesses that are struggling with a digital revolution, while reaching for a grip on forms of entertainment that are still taking shape.



The merger ends a period of relative stability among the major agencies, raising the possibility of new combinations and a stronger thrust by talent representatives into fresh lines of business

involving **FINANCE**, digital distribution or corporate alliances.

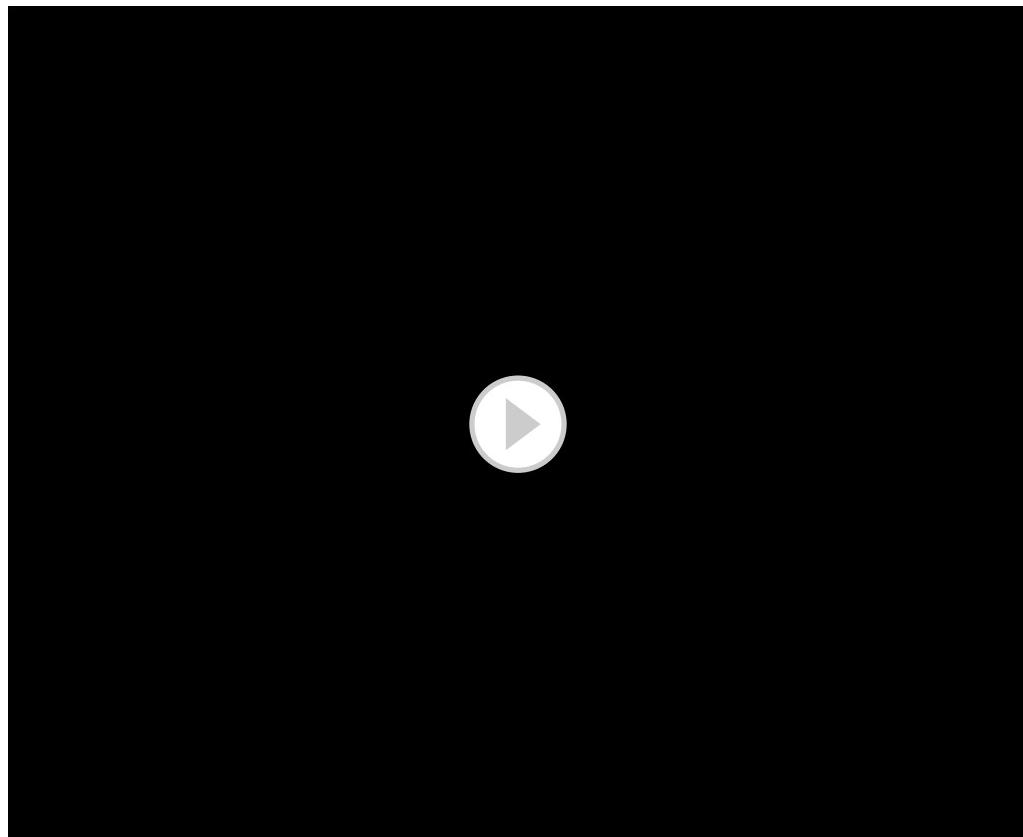
But the more immediate question may be whether the new company is really poised to become a powerhouse, or if this is the just the start of another Hollywood power struggle.

The combination was announced in a brief statement after votes by each company's board on

Advertisement

X

business representation. It will have more than 300 agents, representing clients in film, television, music, books, commercials and corporate branding.



In the near term, the new agency must deal with the layoff of hundreds of agents and supporting staff, a restructured management and the attention of competitors hungry to pick off prime agents and clients.

James A. Wiatt, who was chief executive of Morris, is to be chairman of the new company. Ariel Z. Emanuel, who was the dominant partner at Endeavor, but held no title, will have substantial authority in the new company. He was named a co-chief executive, along with Patrick Whitesell, from Endeavor, and David Wirtschafter, from William Morris.

For years, virtually every significant Hollywood agency has explored possible mergers with competitors as companies looked for growth and new horizons at a time when core movie and television businesses have been constrained by digital inroads and cost cutbacks.

Past merger proposals foundered as principals clashed over ego, control and internal economics. But Mr. Emanuel and Mr. Wiatt persisted in talks that began last year — each driven by

Advertisement

×

Company, said of the merger and other signs of entertainment industry consolidation.

“The business is shrinking a little bit. That’s not to say it’s not profitable, but it’s evolving and changing,” said Mr. Pollock, a former chairman of Universal Pictures.

William Morris, formed in 1898, has been particularly strong in music, has a deeply entrenched book business and represents clients in the commercials business. Its star clients include the performer and music entrepreneur Kanye West, the filmmaker and television producer J. J. Abrams and the toymaker Hasbro, which has a stake in films based on the Transformers and other toy lines.

Endeavor, just 14 years old, has been much stronger in film and scripted television, but had little hope of challenging Creative Artists without added financing and resources. Its roster of stars includes Adam Sandler, Matt Damon, Tyra Banks and Ben Stiller.

The merger could prove a boon to competitors like the United Talent Agency, International Creative Management, Paradigm and the Gersh Agency, all of which have pockets of strength, and have spent the last few months sizing up the agents and clients who might fall away from a combined William Morris and Endeavor.

“I think it changes our world in a great way,” said Jeremy Zimmer, a partner at United Talent. “It makes us the clear alternative in a much smaller agency environment.”

Through the weekend, many agents at both William Morris and Endeavor were fretting about who might make the cut or where they might fit into the new venture. Mr. Emanuel, whose brother Rahm is the White House chief of staff, told agents who flocked to his office that the weak economy was a major impetus to consolidation.

The atmosphere was also tense at William Morris, where more than a dozen members of the agency’s large board found they would not have a place on a new nine-member board — which will include four from Endeavor and five from William Morris.

The politicking is not likely to end with the vote. Agents must now establish an informal pecking order within a new organization that will have neither the cohesiveness of Endeavor, which took pride in its somewhat communal culture, nor the long traditions of William Morris.

One of the first to say he would not be joining the new operation was Tom Strickler, a founding partner at Endeavor who was known internally as a keeper of the corporate culture. Mr. Strickler

Advertisement

X

coming along for the ride. "I've wanted to get on to the next chapter of my life for while," Mr. Strickler said, speaking by phone on Monday. He said he did not have a next job lined up.

At William Morris, another prominent agent, David Lonner, said he was told by Mr. Wiatt and Mr. Emanuel that he would not be part of WME Entertainment, according to a report on the Variety Web site.

Mr. Lonner did not respond to a call seeking comment. He has shared representation of Mr. Abrams — whose film "Star Trek" is set for release May 7 — with John Fogelman, who is in charge of the William Morris feature film department, and will have a place on the new board.

Spokesmen for Morris and Endeavor declined to discuss the departures.

A version of this article appears in print on , on Page B1 of the New York edition with the headline: A Merger Of Agencies Shakes Up Hollywood.

---

X by DNSUnlocker    ○○○○

ENTERTAINMENT BUZZ



Odd-looking Ronaldo bust steals the show at airport ceremony



WWE flexes sports entertainment muscle at WrestleMania



Winterthur exhibit offers insight into detecting art fraud



# **Exhibit V**



# Kevin Spacey signs to CAA

*Tatiana Siegel*

MAY 14, 2009 | 06:29PM PT

## ***Actor leaves William Morris for new agency***

Kevin Spacey has signed with CAA.

The actor-producer most recently starred in HBO's "Recount," which he produced through his Trigger Street shingle.

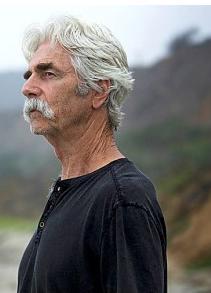
Earlier this week, Spacey signed on to star as Jack Abramoff in the true story-based thriller "Casino Jack," directed by George Hickenlooper from an original screenplay by Norman Snider.

He had been most recently been handled by WMA.

***Want to read more articles like this one? SUBSCRIBE TO VARIETY TODAY.***

## **Sponsored Content**

Recommended by



The one reason Amazon Channels is a "better value" than Netflix and Business Insider

Hollywood Actress Maggie Q Shares Her Journey To A Healthier ActivatedYou

Weekend Movie Reviews  
AARP

Find Out How We're Working to Bring Clean Water to Everyone on charity: water

14 Actors Who Mysteriously Disappeared From Their Trend Chaser

9 Credit Cards With Major Holder Perks Credit Karma

## Sponsored Content

*See the credit card with rewards, no annual fee and low interest rates.*  
NerdWallet

**5 Best Credit Cards: Up To 5% Cash Back** GET.com

**Love Traveling Solo? These 10 Cruises Are Made for You** Cruise Critic

**What Technology Is Keeping You Safe On the Road?** Modern Wellness Guide

**Plan a Summer Getaway to the Tualatin Valley** Tualatin Valley

**This Stock Could Be Like Buying Amazon in 1997** The Motley Fool

## More From Variety

*Canadian Director Denis Côté Tapped as Future Frames Mentor at Karlovy Vary*

*M. Night Shyamalan Unveils 'Split'/'Unbreakable' Sequel Starring Bruce Willis, Samuel L. Jackson*

*Annecy: 'Mutafukaz' Creator-Director Guillaume 'Run' Renard Talks Inspiration, Animation and Adaptation*

*More Than 100 Items Stolen From World's Largest Private 'Star Wars' Memorabilia Collection, Says Owner*

*Esai Morales Running for SAG-AFTRA President (EXCLUSIVE)*

*Film Review: 'Who's Gonna Love Me Now?'*

Recommended by

Sponsored by Amazon Prime Video

**For the LOVE of MY SHOW! – Part 2: Walking a Line of 'Absurd & Super-Real'**

Five hilarious TV fanatics discuss how "Catastrophe", "Goliath" and "Patriot" find the delicate balance between ridiculous storytelling and real life

[Read More](#)



# **Exhibit W**

# DEADLINE | HOLLYWOOD

"Article Only"  
 "Article with Comments"  
 "Comments Only" [Print](#)

## MRC, Universal Make 20 Pic, Five-Year Pact

By Mike Fleming Jr on May 27, 2010 9:56 am



**EXCLUSIVE:** Media Rights Capital and Universal Pictures closed a deal that will put up to 20 MRC-generated films through the studio distribution pipeline over a five-year period. The pact begins in 2011.

While MRC partners Modi Wiczyk and Asif Satchu have done repeat business at Universal, this is a new wrinkle in their formula of assembling and funding film packages with big stars and directors, and then licensing distribution to [studios](#) on a case by case basis. Those [deals](#) were structured to give creative freedom and maximum upside to stars and directors, and eventual ownership stakes in the films when copyrights revert back to MRC years down the line.

The Universal deal is a rent-a-system deal in which the studio will supply its marketing and distribution expertise for a distribution fee. Universal doesn't have first look at MRC projects, and MRC can pre-sell films domestically and in foreign territories. Universal can possibly opt in as an investor in these films or not. What the deal gives MRC is a guaranteed major studio distribution outlet, to entice artists as it tries to expand its filmmaking program.

The deal doesn't impact Universal's homegrown film slate.



Universal has been involved in MRC's highest profile movie packages. The relationship began with the Sacha Baron Cohen-starrer *Bruno*, which Universal acquired for North American and some offshore territories for \$42.5 million, just as buzz was growing on *Borat*. The film grossed \$60 million domestic and \$139 million worldwide. Universal then acquired *The Adjustment Bureau*, the George Nolfi-directed sci-fi pic that stars

Matt Damon and Emily Blunt. and will be released September 17, and the M. Night Shyamalan-produced thriller, *Devil*. The studio most recently acquired *Ted*, a \$65 million budget R-rated comedy that will mark the feature directorial debut of *Family Guy* creator Seth MacFarlane. MRC's other prolific studio relationship has been Warner Bros, which distributed the Robert Rodriguez-directed *Shorts*, the Ricky Gervais comedy *Invention of Lying* (Universal released the film overseas) and the Cameron Diaz-starrer *The Box*. MRC pacted with Sony on *30 Minutes or Less*, the comedy directed by *Zombieland*'s Ruben Fleischer.

Backed by Goldman Sachs and AT&T with JP Morgan and Comerica its credit facilities, MRC plans to expand its film output. The track record so far has been mixed, and MRC has yet to score a real breakout hit. MRC is currently prepping the next film by District 9 director Neill Blomkamp, but hasn't yet figured out which studio to place it with.

Universal and MRC confirmed the deals and issued statements.

"We've been continually impressed with the quality of talent that MRC brings to the table," said Universal Pictures chairman Adam Fogelson. "By leveraging our strong marketing and distribution operations we can augment our own slate and expand our relationship with MRC, bringing more value to Universal."

Said MRC's Wiczyk: "MRC has always had the ability to greenlight and fully finance our films. With this deal, we now have another powerful tool for our artist partners, providing them with automatic access to the marketing and distribution expertise of a major studio."

[Universal Buys Seth MacFarlane's R-Rated Comedy About Teddy Bear In MRC Film Deal](#)

---

This article was printed from <http://deadline.com/2010/05/mrc-universal-make-20-pic-five-year-pact-44036/>

# **Exhibit**

# **X**

# Fifty Shades of Grey (film)

From Wikipedia, the free encyclopedia

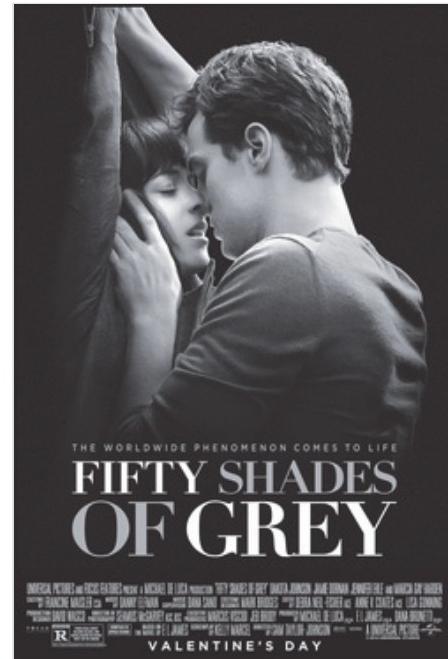
**Fifty Shades of Grey** is a 2015 American erotic romantic drama film directed by Sam Taylor-Johnson, with a screenplay by Kelly Marcel. The film is based on the eponymous 2011 novel by British author E. L. James and stars Dakota Johnson as Anastasia Steele, a college graduate who begins a sadomasochistic relationship with young business magnate Christian Grey, played by Jamie Dornan.

The film premiered at the 65th Berlin International Film Festival on February 11, 2015, and had a wide theatrical release on February 13, 2015, by Universal Pictures and Focus

Features.<sup>[3][4]</sup> Despite receiving generally unfavorable reviews, it was an immediate box office success, breaking numerous box office records and earning over \$571 million worldwide.

The film was the most rewarded at the 36th Golden Raspberry Awards, winning five of six nominations, including Worst Picture (tied with *Fantastic Four*) and both leading roles. In contrast, Ellie Goulding's single "Love Me Like You Do" was nominated for the Golden Globe Award for Best Original Song, while The Weeknd's single "Earned It" was nominated for the Academy Award for Best Original Song.

*Fifty Shades of Grey*



Theatrical release poster

Directed by	Sam Taylor-Johnson
Produced by	Michael De Luca E. L. James Dana Brunetti
Screenplay by	Kelly Marcel
Based on	<i>Fifty Shades of Grey</i> by E. L. James
Starring	Dakota Johnson Jamie Dornan Jennifer Ehle Eloise Mumford Victor Rasuk Luke Grimes Marcia Gay Harden
Music by	Danny Elfman
Cinematography	Seamus McGarvey
Edited by	Debra Neil-Fisher Anne V. Coates

# **Exhibit**

# **Y**

# How Sony lost the Steve Jobs movie: The inside story from the hacked emails

2.4k

SHARES

[Share on Facebook](#) [Share on Twitter](#)



IMAGE: JUSTIN SULLIVAN/GETTY IMAGES



BY [CHRISTINA WARREN](#) DEC 11, 2014

A major motion picture about [Steve Jobs](#) was inevitable. Even before the Apple cofounder and CEO's death in 2011, Jobs was a figure of almost unparalleled universal interest.

Apple, after all, was one of the biggest companies in the world, and for most regular people, Jobs was Apple. Perhaps not since Walt Disney had a company been so associated with its CEO.

**SEE ALSO:** [Steve Jobs Emails Show How to Win a Hard-Nosed Negotiation](#)

The reverence for Jobs only grew after his death. Countless books about Apple and Jobs had been published before 2011, but Walter Isaacson's officially sanctioned biography, *Steve Jobs*, had unprecedented access to the man himself. Slated for release just weeks after Jobs' death, the book would go on to be an international bestseller.

It wasn't surprising when Sony was the studio to snap up a film adaptation of the book. Hot off of the success of *The Social Network*, *Steve Jobs* was seemingly the ideal follow-up. A similar

creative team, including screenwriter Aaron Sorkin and producer Scott Rudin, was assembled. Talk that David Fincher would direct began [almost immediately](#).

It seemed perfect. Certainly much more ideal than another Jobs film, the smaller, Joshua Michael Stern-directed film starring Ashton Kutcher as Jobs that went into production in 2012. That movie debuted in 2013 to [middling reviews](#), but for Apple fans the promise was that the next film, the *real* Steve Jobs movie, would be great.

Now, more than three years after acquiring the film rights to Isaacson's book, Sony Pictures is no longer associated with the project. Instead, it was [sold to Universal](#).

How did this happen?

How did Sony screw up such a seemingly sure thing as the official adaptation of Steve Jobs' biography?

How did Sony screw up such a seemingly sure thing as the official adaptation of Steve Jobs' biography? Most of the time, the real story behind these kinds of Hollywood decisions goes untold for months or years until after the dust has settled.

But just a day after Sony officially let go of its interest in the Steve Jobs film and sold it off to Universal, something unprecedented happened: Sony Pictures [was hacked](#).

It was arguably the biggest — and worst — hack in corporate history, with hundreds of thousands of documents (including [complete copies](#) of unreleased movies such as *Annie* and *Fury*) captured and subsequently released by cyber criminals.

Within those hacks was the corporate email inbox of Sony Pictures co-chairman Amy Pascal. And within those emails is the story of how the Steve Jobs project disintegrated at Sony.

From Pascal's inbox, we get a rare glimpse at what happens within the walls of a struggling film studio — one hampered by indecisiveness and frightened to take on projects that might be too risky and have too little impact.

From the outside looking in, the project was a dynamo, with actors, directors and producers dying to get in on the action. But once it came time to sign on the dotted line, securing talent and financing became an insurmountable obstacle for Sony, one that would ultimately doom the project.

For Pascal, the Jobs project was difficult, but it still felt important. It felt worth fighting for. In an email sent just after the project was sold to another studio, she laid bare the tragedy that the project wouldn't be happening at Sony:

"I feel like I just gave away a seminal movie, like *Citizen Kane* for our time.... I already think I may have made one of the worst decisions of my career."

(*Editors' note: The emails are presented verbatim, including spelling mistakes.*)

## The project



Producer Megan Ellison, actress Amy Adams and Amy Pascal, co-chairman of Sony Pictures.

IMAGE: KEVIN WINTER/GETTY IMAGES

Sony jumped on the *Steve Jobs* project early. Walter Isaacson's biography wasn't even on bookshelves before the [studio optioned the book](#) in October 2011.

[Almost immediately](#), rumors began swirling that the studio wanted Aaron Sorkin — fresh off his Oscar win for *The Social Network* — to adapt the book into a screenplay.

Sorkin [officially signed on](#) in May 2012. At the time, Sony's co-chairman Amy Pascal was quoted as saying, "There is no writer working in Hollywood today who is more capable of capturing such an extraordinary life for the screen than Aaron Sorkin; in his hands, we're confident that the film will be everything that Jobs himself was: captivating, entertaining, and polarizing."

Scott Rudin (who also worked with Sony on *The Social Network* and *Moneyball*) and Mark Gordon were attached to produce the project.

The high-profile nature of Jobs and the book meant the project was subject to rumors and speculation almost immediately. The success of *The Social Network* and the allure of Steve Jobs as a figure meant that this had the potential to be an international hit for Sony and its partners.

According to production schedules seen by *Mashable*, the plan at the end of 2013 was for the project to be produced for either fall or Christmas 2015 or into 2016, depending on the budget, director and readiness of the script.

## The script

Sorkin was hired to write his script for *Steve Jobs* (later known as *Jobs* internally at Sony) in May 2012.

While waiting for a script from Sorkin, executives at Sony, including Pascal, president of Sony Pictures Motion Picture group Doug Belgrad, and Columbia Pictures presidents Michael De Luca and Hannah Minghella were already discussing potential names for directors and leads in the project.



Screenwriter Aaron Sorkin.

IMAGE: FRAZER HARRISON/GETTY IMAGES FOR BAFTA LA

Leonardo DiCaprio's agent was eager for the actor to read the script and the actor was clearly an early favorite for the role for the studio and most of the creatives involved.

According to emails reviewed by *Mashable*, Sorkin delivered his first draft of the script to the studio in early February 2014, and it was well-received by the higher-ups at Sony.

An email from Belgrad to Sony CEO Michael Lynton and Pascal summed it up best:

Turned out pretty amazing.

I love it.

Can't wait to figure out how to do it.

After reading the script, Pascal emailed notes to herself from Sorkin's first draft.

"I KNOW WE WANT A N ACTOR TOUR DE FORCE BU THE EARLY STUFF IS SO GREAT"

In an email to Elizabeth Cantillion and others, she added a few initial reactions:

jobs script is on all your pix

its long

its great

its not tsn

but it will be

## Courting Fincher

Less than 48 hours after the first draft of the script arrived, Rudin, the producer, was busy working with executives at Sony to try to figure out a director for the project.

[David Fincher](#) (who directed Sony's Rudin-produced, Sorkin-penned *The Social Network*), was an early favorite of Rudin's.

The executives at Sony seemed less sure, more open to trying to open the film up to other directors.

In an email exchange with Rudin, Pascal expressed her concerns about going after Fincher for the job.

Rudin:

"Who do you want over Fincher?"

Pascal:

"I don't know but going with him has its challenges and I think we need to talk about it plus this movie has to have genuine emotional depth ...."

As of Feb.18, 2014, the short list for director candidates within Sony were:

Danny Boyle

David Fincher

Paul Greengrass

Spike Jonze

Phil Lord and Christopher Miller

Alexander Payne

Steven Soderbergh

Robert Zemeckis

This list can be considered an "ideal candidates" list and was likely not exhaustive or complete.

David Fincher read the script the third week of February 2014. On Feb. 23, he emailed Sorkin saying,

"YES — JOBS — IT'S GREAT, not good, GREAT..."

What do YOU wanna do?"

Fincher followed up with an email of notes to Pascal, Rudin and Sorkin.

Subject: JOBS

Content:

Is great.

It's a play, but a really quicksilver, cinematic one.

I would think you would want to cast and rehearse very carefully (couple months)

Shoot very quickly (4 or 5 weeks — 8 days per ACT??)

The venues would be easy (we could probably find them all in town)

Editing is where we would spend time.

Can SONY market a ONE MAN SHOW(?)

Can you guys make the LENNY of it all, *the MUST SEE?*

This was forwarded to Lynton.

Some of the content in the emails quickly leaked to the press. Sony was able to hold off reporting for a few days, but on Feb. 26, 2014, Pascal finally consented to leak the story to [\*The Hollywood Reporter\*](#).

In an email with Sony's communication team, Pascal wrote:

"At this point give it to the reporter with no finger prints and fuck variety but there is nothing to say except David read the script and I don't want it to say Rudin is talking with David and start a big problem with mark"

The story quickly spread to *Variety*, *Deadline* and international media outlets.

Fincher sent Pascal an email with a link to Variety's email and a "WTF?" subject line. "You have serious issues *internally*..."

At the same time, Rudin and Pascal were dealing with the fallout from the Fincher discussions on another project the two were trying to work on together, Angelina Jolie's version of *Cleopatra*.

*Cleopatra* has been a passion project for Jolie for years and with a script from Eric Roth, the film seemed closer to potentially entering production. Jolie was interested in having Fincher direct the project when she found out that he was in talks to do the Jobs project instead.

Pascal wanted to diffuse the situation, but Rudin was unswayed. In emails that have been widely [reported](#) by *Defamer* and others, Rudin raged against Pascal and called Jolie a "a minimally talented spoiled brat who thought nothing of shoving this off her plate for eighteen months so she could go direct a movie."

But the *Cleopatra* distraction ended up not mattering in the end. Based on email chains within executives at Sony, discussions with Fincher stalled before they got off the ground. Although the director seemed interested in the material, Sony was unwilling to sign him unless he was willing to cut his fee.

Fincher wanted his standard fee of \$10 million, control over marketing and a \$45 million budget for the film. Because the film is structured in three acts, similar to a play, and is almost all interior shots, executives at Sony as well as producer Rudin were convinced the budget should be lower, and were unwilling to meet Fincher's demands.

In an email conversation in late March 2014 with Pascal, Rudin and co-CEO of William Morris Endeavor Ari Emanuel, Sorkin made an impassioned case for trying to make a deal work with Fincher. "I do not know why [Fincher]'s like this (anymore than I know why Steve Jobs was like Steve Jobs) and I don't want this movie to be a bitter drink for the people at the top because you all have other things you can do and you'll just walk away," Sorkin wrote.

"But we're looking at a home run pitch coming at us. The right director wants to do this and wants to do it now. I just ask that before you throw your hands up you make sure you've exhausted every option and that includes letting him save some face."

Rudin's reply:

"You don't think \$40m to shoot three scenes is enough? Do YOU want every control given to him, including the entire marketing campaign? This is the director who refused to put the girl with the dragon tattoo in the ads for THE GIRL WITH THE DRAGON TATTOO."

In a reply, Sorkin still held out hope that there could be a middle ground where everyone was happy. Still, he conceded that he'd be uncomfortable with Fincher having marketing control because

"There's always the risk that the billboards will say, 'Anyone who doesn't see this movie is an asshole.'"

"There's always the risk that the billboards will say, 'Anyone who doesn't see this movie is an asshole.'"

Moreover, despite the strong sales of the *Steve Jobs* book, internal models from within Sony indicated that the worldwide box office for the film might only track at \$100 million (though some remained optimistic of a \$150 million worldwide haul).

Although Sony had great success with Fincher on *The Social Network*, his adaptation for the studio of *The Girl With the Dragon Tattoo* was a [massive financial failure](#).

There is a sense in the emails that this was omnipresent in the minds of the studio heads (remember, this is in late March 2014, long before Fincher's *Gone Girl* came out and was a hit at the box office).

By April 9, 2014, the Fincher deal was off the table. The news [broke a few days later](#) with both sides trying to spin things to their own liking.

It turns out, the trade reports that it was all about money were basically true.

## Finding Danny Boyle



Director Danny Boyle.

*IMAGE: CARLOS ALVAREZ/GETTY IMAGES*

After the Fincher deal evaporated, the studio and producers continued to pursue other directors. Going back to the drawing board for directors, familiar names once again popped up, including Danny Boyle. By April 21, 2014, Sony and Scott Rudin were already in talks with Boyle.

*The Hollywood Reporter* had the news — as well as the fact that Leonardo DiCaprio was still the leading contender to take the lead — almost instantly.

By the end of April, Boyle's deal to direct was complete.

## The talent

From the beginning, Leonardo DiCaprio was the studio's ideal pick to play Jobs.

From the beginning, Leonardo DiCaprio was the studio's ideal pick to play Jobs. His star power and appeal with international audiences made him a strong choice.

DiCaprio's representative Rick Yorn expressed interest in getting the script as early as January 2014. As talks got underway, the biggest blocker seemed to be not money, but timing. Negotiations with DiCaprio stretched into September 2014 before finally collapsing before any deal could be made. As of Sept. 21, DiCaprio seemed to be completely off the project.

As word of DiCaprio's departure spread around Hollywood, talent agents for practically every working star in Hollywood began to approach Sony executives about their clients' interest in playing Jobs. Representatives for Mark Ruffalo, James Franco, Eddie Redmayne, Robert Downey Jr. and Tobey Maguire all reached out expressing interest in the role.

One name on that list seemed a natural choice: Christian Bale. After DiCaprio was definitively out, Bale became the primary choice and negotiations began with the star in earnest in early October.

Publications, including *Mashable*, noted how similar Bale looked to Jobs. It felt right.

## The budget and the financing



Producer Scott Rudin, Sony Pictures Entertainment co-chairman Amy Pascal and Chairman and CEO of Sony Pictures Entertainment Michael Lynton.

Throughout the search for a lead actor for the film, Sony struggled to get a solid budget for the film and to find co-financing to get the film made.

Originally targeted for release in 2015, *Jobs* was pushed to 2016 in most internal targets by October of this year. Without a star, financing or a budget, it seemed unlikely the film would make its original debut.

The budget is something Sony struggled with almost from the beginning. During early discussions with Fincher, the budget's goal was \$33.5 to \$35 million. Fincher wanted the budget expanded to \$45 million or higher.

When DiCaprio seemed likely as the lead, some budget projections even ventured into the \$50 to \$55 million range.

When DiCaprio seemed likely as the lead, some budget projections even ventured into the \$50 to \$55 million range. That's not an outlandish number in today's Hollywood, but for a film that is virtually a stage play with very little exterior shooting, Sony management was keen on keeping the budget smaller.

That's in part because of the precarious financial condition of Sony Pictures, as well as its parent company, Sony Corporation. The electronics arm of Sony is in disarray and its studio division, Sony Pictures, isn't doing much better.

Sony had a particularly rough summer 2013 when both *White House Down* and *After Earth* bombed at the box office. In the fall of 2013, Wall Street raider Daniel Loeb started buying up shares in Sony and using his perch to pressure the suits in Tokyo to sell or spin-off the studio.

In part because of Loeb's pressures, [Sony CEO Kazuo Hirai](#) announced \$250 million in operational cuts, with many coming from the film studio.

Fortunately, director Boyle has a reputation for staying within his budgets and shooting quickly, so keeping him on track wasn't a problem. With no DiCaprio, Sony went back down to a \$33-\$35 million budget projection — with some optimistic estimates as low as \$25 million.

Part of the reason the budget became such a concern was because of financing. Sony needed help getting the film co-financed. The problem with co-financing, especially on a film like *Jobs* where many of the talent deals are awarded on the back end with points rather than upfront salaries, is that more investors involved means that Sony's share in the profits is much lower.

Sony's internal budget projections as of Nov. 4, 2014, showed that *Jobs* would need to make \$130 million at the box office to hit all of its targets and achieve a 7% margin, and that was on a \$33 million budget.

## Financing merry-go-round

Hollywood accounting can be complex, but put simply, trying to make everything work in a budget that stays in the black for the major studio is always the end goal.

Sony could have fully financed the film itself (and that was one of the options the studio was mulling over), but it seemed apparent to the studio and Rudin that they would need to

co-finance the film or at least take on partners for the international release in order to minimize the risk.



Writer Aaron Sorkin, producers Dana Brunetti, Michael De Luca, Cean Chaffin and Scott Rudin, actor Armie Hammer, actor Andrew Garfield, actor Jesse Eisenberg, and producer Kevin Spacey onstage during the 16th Annual Critics' Choice Movie Awards.

*IMAGE: MICHAEL CAULFIELD/WIREIMAGE*

An email — sent to Pascal, Belgrad, De Luca and president of worldwide business affairs and operations for Columbia Pictures Andrew Gumpert — lays it all out:

Scott is already dug in that beyond the 50pts, the talent needs fresh cash/non-app bonuses at around 130wwbo (50pts is a lot of money in success and that should be it). The fact that folks have gross quotes is not really relevant since the 50pt pool makes up for that. I'm not doing any of this (nor would our financiers), and Scott thinks we should stop the whole thing, and I agree if that is their position. This is easy if they want it to be or not. But let's not get sucked into the rabbit hole.

I feel like if this is how Scott feels, we should go back to letting him get the financing and we will distribute for fees and he can pay the talent and himself whatever he wants if his financiers will allow him to do so.

My view is this is a de-facto negative pickup:

33m net (fyi that budget assumes Walter I defers 2m. Ba has not spoken to his reps about this, and I'm not sure if he'll do it or on what terms, eg, does walter have to go into the 50pt pool??)

They are on for overages

50pt pool

3p financing in place.

Simple/easy if they want it to be.

In other words, Sony could do the full financing at a \$33 million budget, provided the talent agree to take most of their salaries on back-end profit points (which account for 50% of the film's profits). That would require at least \$130 million total box office to be worth Sony's while.

The problem, for Rudin and his producers, was that the salaries for talent weren't as generous as some would have liked. The alternative, from Sony's perspective, was for Rudin to find others to finance the project and Sony could simply act as the distributor and collect fees from it that way.

The problem was finding a studio to agree to co-finance.

## The savior?

Enter Megan Ellison, founder of Annapurna Pictures. Ellison reached out to Amy Pascal in mid-October 2014 asking to be involved in the film. Ellison, the daughter of Oracle founder (and Steve Jobs's best friend) Larry Ellison, worked with Sony on *American Hustle*.

In emails between Pascal and Rudin, Rudin initially rejected the idea of having Ellison involved in the film, apparently because of a problem the two had on a previous project.

On Oct. 17, 2014, Ellison sent Rudin an email begging to be involved in the project as a producing or financing partner. It said in part:

And I would love to explain the reason why the Steve Jobs project is so important to me too. Steve Jobs was and always will be an important part of my family. He was my father's best friend, he was the witness at his wedding, he is the only person my father has ever truly admired. So this is also incredibly personal for me. It would be a great joy to be a part of shepherding his story.

I'm not looking to infringe on your territory. I'm not power hungry or an ego maniac. I just love films and this film in particular. I'd love the opportunity to be a part of it and I want to see how you work. No bullshit, I've looked up to you forever, since as long as I can remember. I hope this you well.

Internally, the executives at Sony saw Ellison's overtures as a win for the project. She could help provide some of the needed financing and the studio could move forward in getting deals locked down on a budget, locations and actors.

For his part, Rudin was not impressed.

His response to Ellison's email to Pascal was that "I'm not interested in financing partners who bring this amount of emotion to it and frankly the notion of selling her this to get the other one done is kind of gross."

His response to Ellison herself was more measured, but was still uninterested in budging. Pascal tried to intervene on Ellison's behalf but Rudin seemed undeterred.

Still, at this stage, it seemed obvious Ellison wanted to be involved and Sony was trying to make something work with Annapurna and the *Jobs* film.

## The collapse

On Oct. 16, 2014, Gumpert (aka "Gump"), sent an outline of the budget and back-end deal and points breakdown to Scott Rudin. It was then pushed out to the various talent representatives on Oct. 18, 2014.

Rudin's initial response to the offer was hostile. "Just to say this: asking any of us to post one cent for overages out of our fixed comp is about as offensive an ask as I have ever seen. I think if you include that in the proposal the movie will go away. Nobody needs to make a movie this badly — at least nobody in this group — to be raped in the process."

Pascal tried to defer a conversation until after the weekend, to which Rudin responded:

"You have NO risk in the movie but WE should have risk? You lay off every cent except what you choose to keep and WE should then also fund you — that's how this should work? I cannot believe you're serious. What idiot would make this deal? The presumption that five Oscar winners would be desperate enough to give up all value for their services and then also risk the baseline bargain-basement fees on top of it is beyond comprehension. Every single movie like this that we have made for you has worked. And you think this is fair?"

At this point, Rudin brought Ari Emanuel into the email chain. Emanuel, who was the basis for the Ari Gold character on *Entourage*, was explicit.

"This offer is fucking bull shit. Give us the movie back. You guys in the business. No other studio would even ask for this. Pass"

In response to Pascal's plea to deal with things on Monday, Emanuel responds again:

"Whatever

You guys ask us to find financing. Scott, Patrick and myself get Modi [an investor] and we still get no respect. Amy, this is not what you want to hear - but this NEVER happens and any other studio. In fact they then would go out of their way to make a proper deal. Even Harvey."

Pascal responded again, trying to lessen tensions writing in part, "don't make it harder than it is."

The response to Rudin and Emanuel's reaction from the others at Sony was that of shock, dismay and incredulity.

To De Luca and Pascal, Belgrad noted, "Michael bought this book not Scott or Danny and we are well within our rights trying to do this responsibly."

We do not need this movie and we do not need to give it back to them. "

After the weekend had passed, both sides seemed more calm, but it appears it was dawning on Sony that there would be a very real chance that the film may not be made at their studio.

In a message authored by Gumpert and sent to Stefan Litt, the EVP and CFO of Columbia TriStar, the situation was summed up like this:

1. "The only way to get this to net neutral is to have 100% of it financed and backstopped (a la zero dark 30).
2. If we want 1/3 ish of the film, then the in year negative can be reduced from 37.4M to 17.1m, but that is still a big in year negative.

I hate to say it, but our real options are:

1. Release in 2016 (fy 17) where we can plan for this better
2. Release in 2015, BUT only do it as a distribution/backstop deal..."

Meanwhile, Village Roadshow and MRC both declined to co-finance the production.

Then, on Oct 30, 2014, Christian Bale dropped out of the film.

In an email to CEO Lynton, Pascal commented on the "funny" nature of the drop-outs:

"Do you think actors are afraid to play this character

Danny and I were musing about this yesterday"

Lynton's response was interesting:

"or mrs jobs is calling them...."

In Hollywood circles, there have been rumblings for quite some time that the family of Steve Jobs is unhappy with the *Jobs* project at Sony. In an email to De Luca and Belgrad, Pascal appears to take Lynton's suggestion that Jobs' widow, Laurene, intentionally sabotaging the film seriously:

"This is the second actor that pulled out....do you think there is some fears bout playing jobs? Or calls from the mrs?"

## Trying to save the project



Amy Pascal, co-chairman, Sony Pictures Entertainment, and actor Jonah Hill.

IMAGE: KEVIN WINTER/GETTY IMAGES

With financing not forthcoming, a budget nonexistent and the second lead actor to drop out, *Jobs* was clearly in trouble by Halloween. Still, outside of Sony, the news that Bale had exited the project led to yet another deluge of actors and agents expressing interest.

Sorkin even had the idea to approach Tom Cruise

Sorkin even had the idea to approach Tom Cruise, citing his work in *Lions for Lambs* as proof that the actor could play the younger Jobs part with aplomb.

Still, by Nov. 3, 2014, director Danny Boyle was sold on signing Michael Fassbender to the role. Though all creative and business parties involved with the film seemed to emphatically trust Boyle's judgment, the tenor within emails was that Fassbender didn't seem to be the right fit for the part.

The news of Fassbender's attachment and interest in the project spread to *Deadline* on Nov. 4. At this point, Rudin, Sorkin, Pascal and Belgrad all seemed to be trying to talk themselves into seeing Fassbender in the role.

Meanwhile, Andrew Gumpert came back with alternatives for the studio for making the film, including a number of scenarios where Sony would co-finance with Annapurna Pictures. With Fassbender as the lead, the budget for the film would now be lower.

Complicating matters further, Leonardo DiCaprio's representative reappeared and showed potential interest in bringing the actor back into discussion.

At this point, Sony started creating two different versions/budgets for the film — one with DiCaprio and one with Fassbender — for potential co-financing with Annapurna Pictures.

## The disintegration

On Nov. 13, 2014, Megan Ellison and Annapurna backed out of the project. In less than a month, Ellison went from literally begging to be involved in the project in any way possible to writing, "I'm having a hard time moving forward on *Jobs*. I can't help but not feel great about the way things played out until now and the level of investment has only become much more significant."

In a long missive to Belgrad, De Luca and Minghella, Pascal outlines the massive problems shaping up around *Jobs*:

"We got positioned on jobs

Danny wants mf

Danny wants Cali

Danny wants his rehearsal period

We got totally positioned because the actor we didn't want has another movie he has to do so we are rushing into production with an actor we don't want and have no financing

Mrc passed

Megan passed

Village road show passed  
Lone star will probably pass  
New regency passed ( tonight  
)I love the script but I can't do this to the company  
We should figure out if we can stomach giving it to them in ta  
Tomorrow for a week with mf at 33.4  
I was told by a birdie that searchlight would pass  
But then the person who told me that send maybe they wouldn't  
I also found out that when we were trying to make Fincher deal it was sent around to every studio and people even passed in that"

On Nov. 15, Pascal sent an email to Scott Rudin explaining her discomfort with the current situation regarding the film. The email makes it clear Sony is looking at dropping out of the project.

In response, Rudin sends Pascal an impassioned plea arguing for the merits of the project, the script, the source material, and even appeals to Pascal's heart as a film executive.

Pascal responded laying out the issues with the film. Her response also touched on some of the other controversies of the film, including Jobs' widow's reaction ("we are sony ...the company apple put out of biz") and her lack of comfort going forward without financial protection.

## The end

At this point, on Nov. 17, it's clear *Jobs* will be going into turnaround, when a project is sold from one studio to another for development costs. According to an email from De Luca to Pascal, Rudin was suspicious that the film went into turnaround "too easily" and that "maybe that signified Lynton bowing to jobs family pressure too."

Two days later, on Nov. 19, after Fox Searchlight failed to pick up the option, Sony had another chance to go back to the project. The same day, news broke that Sony was dropping out of the project and that it may be heading to Universal.

Pascal and Rudin exchanged strained emails with one another as the deal finally fell apart. Even at the end, Pascal still seemed to be trying to figure out how to still work on the project. That night, she sent Rudin an impassioned plea, opening up about everything she was feeling about the film.

I want you to think about something and we can talk in the morning.  
I put u and the movie in a vulnerable position  
I was trying to do anything humanly possible to keep the movie  
And I wasn't getting it done  
You are I were still talking to respective people as of this am  
Yes it did take losing the movie to shock me into the realization that I would do anything to make the movie with you and for whatever reason that got it done  
Am I proud of that  
No I'm not

But did it shock my system into action yes it did  
I made a decision  
Maybe one I could have made all along if I drown out all the noise  
I will not blow your deal at universal but you have to admit we gave you a verbal turn around in a very short window  
Without even going through the normal process  
I was responding to Danny and you and ari and the desire to start now....  
I hated it but I did the honorable thing  
As late as this am you said you were gonna call michael  
And we talked about the movie  
When Danny or Robert or whoever called to set that meeting I thought I had a shot  
Did I take one more chance at Leo Yes ....you know why  
Cuz it would have made things easy  
When I actually heard Danny talk about the movie for almost the very first time I understood Cupertino and mf  
And everything else  
And told him I was blown away  
I'm sorry he felt the meeting had gone so terribly  
I heard myself saying now I understand all  
Should I have said done  
We are a go  
We are paying  
Yea I wish I had  
But I it was the begining of my  
Realization  
When I talked to you and Sri this am we were sittingat the table trying to figure out how to just move forward  
And then I made a decision  
Albeit a bit late  
And decided we had to have the movie and I wasn't behaving like the person I am  
Yes you told me that over the weekend  
So did Ari  
You guys tried  
A lot  
I'm not saying you didn't  
Both of you  
But it happened. As you all were closing with universal  
I really would really to stay involved with the movie taking the international seemed like a good way to do that  
I know universal won't want to do it. Why would they  
But you could tell them we were pretty cool about the way we gave you the turnaround and you'd like it to go to us

I don't think Danny is angry with us in the way you suggested I m not sure he is saying he will never work with us againBut I also know he will never go against what you want to do...

I know Aaron doesn't feel like we fucked you guys and neither does mark or Guymon We still wanted to make the movie and kept trying even though we let you try and make it elsewhere

But let's be honest we all know who has the power here

If it's possible why can't we do it?

Are you sure those guys would actually object to us being passive partners in the movie?

It would be great

It would be amazing

Why can't we try to turn this into something good for everyone

I'm sorry for all of today's conversations and a bunch of other stuff .....

We have been doing this together al long time

You don't owe me anything

I'm not invoking a friendship or a partnership I'm I just saying it would be excellent if you helped me make it happen

I made a mistake

Does it have to be fatal?

Talk in am

Amy

In an email to Tom Rothman, the chairman of the relaunched TriStar Productions, Pascal summed up her discomfort with letting Jobs go in terms that were nothing short of epic.

"i feel like i just gave away a seminal movie  
like citizen kane for our time. what is  
happening to me  
everyone you included  
said just do it. i already think i may have made  
one of the worst decisions of my career....but  
i hope the the walk played great....."

Pascal was in better spirits the next day, responding to a message from Rothman checking in on her status.

"I'm great  
I had enough of everyone  
I'm done with all of it  
The classiest among them all turns out to be  
Aaron Sorkin.  
I didn't need Columbia to be some poor cousin  
To this movie....that would have felt worse than not doing it. I know Danny will make a great movie. I'll have another chance to work with him some day.  
And my word is all I have  
I wish it had all been different

But it's different now  
And I'm without jobs but much wiser"

## The epilogue

On November 24, 2014, [Universal Pictures officially stepped in](#) to pick up the Steve Jobs film.

Danny Boyle is still directing Aaron Sorkin's script and Michael Fassbender is attached to star in the film, which remains produced by Scott Rudin, Mark Gordon and Guymon Casady.

Also on Nov. 24, Sony Pictures' internal network was the victim of what is quickly becoming the biggest corporate hack in history.

**TOPICS:** [ENTERTAINMENT](#), [MOVIES](#), [SONY](#), [SONY HACK](#), [SONY PICTURES](#), [STEVE JOBS](#)

# **Exhibit**

# **Z**

NEWSLETTER SUBSCRIBE



- Technology
- Leadership
- Entertainment
- Ideas
- Video
- News

11.16.16

## What It's Like To Chase After Superagent Ari Emanuel And WME-IMG

The hard-charging co-CEO talks about UFC stars as Hasbro dolls, “entrepreneurial” clients, and a memorable meeting with Harvey Weinstein.



**Ari Emanuel**



**BY NICOLE LAPORTE**

LONG READ

While reporting [my feature](#) on WME-IMG for the December issue of *Fast Company*, one of my biggest tasks was to try to find the nuance in the company's leaders, co-CEO's Patrick Whitesell and Ari Emanuel. Whitesell has been summed up as politic and even-keeled, while Emanuel can be reduced to caricature as an über agent whose explosive and outspoken exploits could fill [eight-seasons-and-a-movie's worth of story lines](#). (For reasons that should be obvious, we vowed not to reference this now-clipped analogy in the feature.) The two men complement each other: Whitesell is described as the yin to Emanuel's yang. This relationship is true even physically. Whitesell is tall and fair. Emanuel has darkly etched features and a more compact frame.

So how to get past the logline summary of these two agents-slash-media executives? The most helpful explanation I got was from another WME-IMG exec who explained that Emanuel is the constantly-in-motion ideas guy. (Quite literally—he has treadmill desks installed in all of his offices.) A tireless machine who is passionate about every detail, every possibility. Whitesell, by contrast, can spend more than an hour over the phone calmly going over strategy, point by point.

But one of my favorite insights came from David Lonner, who formed the talent management company Oasis after a career agenting folks like J.J. Abrams and Alexander Payne. Lonner worked with both Whitesell and Emanuel at Endeavor, the startup agency that Emanuel formed in 1995 with three alums of the talent agency ICM. Lonner compared Whitesell to Tom

Brady, the handsome New England Patriots quarterback. “He’s Teflon when the shit rains down,” Lonner says. “And he can make everything OK with his smile.” As for Emanuel, Lonner told me about showing up at Endeavor and asking Emanuel about leadership at the company. What was the dynamic between the founders, what role did each of them play? Emanuel described his own role in just three words: “I’m the juice.”

Two decades later, Emanuel, 55, remains the energizing force of his company, which has evolved into a global media empire that does far more than represent TV writers and directors, as Endeavor did in its earliest days. And Whitesell, who joined Endeavor in 2001, is still the star quarterback who’s keeping things steady as WME-IMG grows at a dizzying clip—over the last two years it has acquired more than 20 companies. But if there is a personality and tenor to WME-IMG, which retains the rebellious, anti-establishment coda of Endeavor, it’s defined by Emanuel.

Trying to capture that tenor for this story proved to be a Herculean task given Emanuel’s constant globe-trotting. Meetings with him were rescheduled over and over again because he had to fly to Chile, London, New York, and China (during the reporting of this story, WME-IMG struck a [joint venture](#) with Tencent and Sequoia Capital China). As he told me when I eventually pinned him down more than four months into my reporting, “Most of Hollywood stays in Hollywood. No one’s getting on a plane and going to Argentina for three meetings. Flying 14 hours for three meetings. And then getting on a plane and flying to London. Or going to China for a lunch and a dinner and coming back. I don’t give a shit. I did it last weekend.” Other times, he would vanish because of duties at home. One Friday night last June, I spied him at the Made LA fashion event, which WME-IMG owns and produced, but he left in time to be home by 7 p.m. for Shabbat dinner.

One thing I learned is that Emanuel is simply more comfortable being improvisational, and it was in our more impromptu encounters over the course of the six months I spent reporting this story that I got a truer sense of what it's like to work with him. Once, when I was scheduled to have lunch with WME-IMG's chief publicist, Christian Muirhead, to discuss the story, I received a call while en route to the restaurant and told, "Ari will be there." It's the kind of news that jolts, and slightly terrifies you. I hadn't spent time preparing questions or getting my head wrapped around what the story I was about to start reporting even was. And yet it ended up being a very rewarding lunch precisely because I didn't march in with a full notepad; the mood was easy and low-stakes. And let's face it, you don't really need to prepare for Emanuel. He's every reporter's dream—whip-smart and uncensored—no matter what the scenario.

For the record, he seems to delight in sudden appearances. He similarly jet-packs in on lunches with young WME-IMG agents as a way of keeping lines of communication open. (When one agent found out who his lunch partner would be one day, he decided to go home and change.) And a few times he popped in unannounced while I was interviewing other executives. "What the fuck are you guys talking about?" he said on one occasion. Then he playfully entered the room and plopped down on a couch. He stayed for about 10 minutes, then got up and left. Twenty minutes later he was back. "You guys are *still* talking?"

This Ari, as everyone calls him—the jokey, funny, profane one—is the one I mostly got to see over the course of my reporting. But I also saw "human Ari," who talks about his kids and making time for them with the little time that he has, and about his brothers Rahm and Zeke. This Ari also talks about being "less crazy" than he used to be, something he said somewhat wistfully and attributed to age; and about being an avid practitioner of meditation. Emanuel swears by the school known as One World, and has organized meditation retreats with friends. When I asked

him why One World, which requires hours of sitting cross-legged on the floor with your eyes closed, Emanuel says that he likes it because it doesn't require chanting any mantras and that, "It says it's OK to be mad!"

Not that he's always so Zen. He has a moody side, which I saw glimpses of as well. It tends to set in abruptly and then dissipate just as quickly. Sources, even those who adore him, say you don't always know what you're going to get when Emanuel picks up the phone. It could be "Bubbe, I love you, what do you want? I'll do anything for you." Or it could be, 'What the *fuck* do you want?' His passion, his intensity, his anger—he doesn't hide any of it.

Eventually, I did get my sit-down with Emanuel. It was worth the wait. Not many people get the opportunity to chat at length with him, particularly without Whitesell by his side, so there's value in hearing direct from one of the most dynamic forces shaping the future of media and entertainment. Yes there was braggadocio (he's an agent, after all), but overall he was thoughtful and insightful, and came across as an executive who is working harder than perhaps anyone in Hollywood to crack the code of what it means, in 2016, to be an entertainment company. What with China about to devour the movie industry, streaming companies like Netflix redefining television, and major mergers such as the proposed AT&T and Time Warner marriage shaking up the studio landscape, Hollywood has never been more in flux. Emanuel and Whitesell have decided to jump in feet first and start figuring out ways to make this new, rapidly changing reality work for them and their clients. And as my story about their ambitions suggests, they're not giving up without a fight.

Here are excepts from my chat with Emanuel:

Fast Company: In 2016, how do you look at your clients? Others at WME-IMG use the term "entrepreneurial" to describe how they view talent.

Ari Emanuel: Everybody looks at it differently. There's no right answer. The clients that I kind of relate to, either are very deep, like Aaron Sorkin. He's a writer—theater, television, movies. Now he wants to be a director, so we're gonna try that. But like Adam McKay or Mark Wahlberg or Charlize Theron or Pete Berg. It's, you know . . . [he makes a horizontal line with his hands to indicate their steady state]. But other people like Oprah or Tyler Perry. Michael Bay. He produces movies, he directs movies, he does indie movies, he does TV. He does commercials. Some agents say, No, I just want the TV writers. That's what they love to do. There's no right answer. For me? I need clients that I can help grow.

When you started as an agent, the business was fairly straightforward. You sell a show, it becomes a hit, you're golden thanks to syndication revenues. Move on to the next show.

That was us. 1995. Three shows. *King of the Hill*, *Ally McBeal*, *Boston Legal*.

Today, obviously, times have changed. The business has become more fractured, movie and TV deals aren't what they used to be (for the most part), thus your job is more complicated . . .

It's the George Gilder book. *Life After Television*. The world of 10,000 networks. (*Life After Television: The Coming Transformation of Media and American Life* was first published in 1990.) So there's network shows. There's cable shows. YouTube shows. Yahoo shows. AOL shows. Netflix shows. Hulu shows. Apple shows.

Do you prioritize any?

No. Whatever's best for the client. Or, here's where I think it's best.

Do most people in Hollywood see it that way?

No.

When did you see this new landscape taking shape?

When I read that book. I said, O.K., we're gonna do this. And then you started seeing it happen.

Since the merger between WME and IMG, there has been some confusion about what you guys are doing. Why, for instance, do you buy something like Professional Bull Riders? How does it serve your talent business? And—

Here's the great thing about the platform. And I think everybody's beginning to get it. The IMG side, the WME side. Fifty percent of our business is representation. It's kind of like a little VC into what we can do, what properties we should go after to own. And 50% is owned. We have to really be Jekyll and Hyde in a good way.

So the good thing about the platform and the size of the company is, you can get a sense of what's going on in the world. Movies, TV, books, internationally, artists, musicians, chefs. So the book department is now publishing books from the hot, new chefs out of the U.K. The hottest area in chefs. So the people in LA or NY, in the reality area, can go sign them and create shows. And if we have 28 food festivals, depending on what we're gonna do with food, you can create shows, either sell them or create licensing product off of them. You're constantly being able to learn what's happening in the world through the platform and through the intel inside of the system.

The problem for competitors, and I consider many people competitors, is that we're unique. There's no place that, 50% of your business is owned, 50% of

your business is represented. You get a lot of different intel. What we have to get better at is making that intel more available, faster. Which we're continuing to work on.

Over the summer you were part of a consortium of investors that bought UFC for \$4 billion. How does your talent engine play into the league? Will we be seeing more UFC stars in movies?

"We've got a list of 25 male stars and about 15 female stars. So we just started. We're in conversations with Hasbro to do dolls. We're in conversations with some of the magazines to do profiles on the women. We're just now beginning the process of building the brand and building their name recognition. We're then gonna, we got Conor McGregor—he's just not available—an offer to do *Game of Thrones*. He's not available. He's gotta fight. [Tyron] Woodley has done two movies, he met with the agency. So we're now just gonna start start building profiles. We'll put teams on 'em and start building profiles with endorsements, etc.

Even today, 20 years after you formed Endeavor, that company's street fighter mentality still seems imbued in your latest company. Do you agree?

[With Endeavor] I didn't want to be part of something. I wanted to create my own thing. Remember, I'd been an agent for like four and a half, five years at that point. I was, as my father would say, I was a *pisher*. And I said, Fuck it. These guys (at ICM) are geniuses? Really? What's the worst that could happen?

You know, in the first six months, did anyone ever tell you this story? We're at Endeavor. We get all this press for no reason. Zero reason. Harvey Weinstein calls me. He says, 'On Friday morning, you have to be in my hotel room at 8 o'clock.' We show up. [Endeavor partners] (David) Greenblatt, (Tom)

Strickler, Rick (Rosen), myself. He's got four chairs. He comes out, his shirt's on backwards, got stains on it. He goes, 'William Morris is going to buy you for \$10 million. You're all going to work for William Morris.' He's telling us. I said, 'No, no, no. I'm gonna buy them. I'm not doing that!' We got up and left.

And in 2009, you did basically buy them. [Endeavor merged with William Morris, though it was effectively a takeover by Emanuel and Co.] What about CAA? They've historically been your biggest rival. Today, WME-IMG and CAA are the two biggest agencies in Hollywood and are distinguishing themselves from other agencies in similar ways.

If I had what they (the Young Turks that took over CAA when co-founders Michael Ovitz and Ron Meyer left in the 1990's) had when they had it, what I would have done with it is unbelievable. I should pay [CAA's private-equity backer] TPG to keep [CAA President] Richard Lovett in that job for the next 10 years. Though I don't think about them. I actually don't, except when people bring it up to me. We have a lot of work to do. I'm really happy about the amount of work we have to do. It's the most creative work, business-wise, that we're gonna have to do. I feel great about the challenge. Because it's gonna take a whole new mindset to get everyone where we have to go. Because now 50% of our business we own, and it's ours to lose. We can only fuck it up. We can no longer say, 'The client didn't do that. The buyer didn't do that. It's ours. We either win, we lose. It's us. The only person we're looking at is the guy in the mirror. I love that challenge for myself and Patrick. I love it."

*A version of this article appeared in the December 2016/January 2017 issue of Fast Company magazine.*

---

#### ABOUT THE AUTHOR

Nicole LaPorte is an LA-based writer for Fast Company who writes about where technology and entertainment intersect. She previously was a columnist for *The New York Times* and a staff

writer for *Newsweek/The Daily Beast* and *Variety*. More

---

## Fast Company Daily Newsletter

YOUR EMAIL ADDRESS

SIGN UP

Receive special Fast Company offers

[See All Newsletters](#)

---

## VIDEO

How This Google Employee Transformed His Career During A Bad Job Market

Google UX's Jason Cornwell learned a valuable lesson about how to approach AI early on t...



---

How This Google Employee Transformed His Career During A Bad Job Market

# **Exhibit**

# **AA**

KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP  
808 WILSHIRE BOULEVARD, 3<sup>RD</sup> FLOOR  
SANTA MONICA, CALIFORNIA 90401  
TEL 310.566.9800 • FAX 310.566.9850

1 KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP  
2 MICHAEL J. KUMP (SBN 100983)  
3 mkump@kwikalaw.com  
4 GREGORY P. KORN (SBN 205306)  
5 gkorn@kwikalaw.com  
6 808 Wilshire Boulevard, 3rd Floor  
7 Santa Monica, California 90401  
8 Telephone: 310.566.9800  
9 Facsimile: 310.566.9850

10 Attorneys for Defendants  
11 NEILL BLOMKAMP, SONY PICTURES  
12 ENTERTAINMENT INC., TRISTAR  
13 PICTURES, INC., MEDIA RIGHTS  
14 CAPITAL II, L.P., and QED  
15 INTERNATIONAL, LLC

16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA (OAKLAND)**

18 STEVE WILSON BRIGGS,  
19 Plaintiff,  
20 vs.  
21 NEILL BLOMKAMP; SONY  
22 PICTURES ENT., INC., TRISTAR  
23 PICTURES, INC., MEDIA RIGHTS  
24 CAPITAL, and QED  
25 INTERNATIONAL,  
26 Defendants.

27 Case No. CV 13-4679-PJH

28 **DEFENDANT MEDIA RIGHTS  
CAPITAL II L.P.'S RESPONSE TO  
PLAINTIFF'S FIRST SET OF  
INTERROGATORIES**

PROPOUNDING PARTY: Plaintiff Steve Wilson Briggs  
RESPONDING PARTY: Defendant Media Rights Capital II, L.P.  
SET NUMBER: One (1)

1 Pursuant to Fed. R. Civ. P. 33, Defendant Media Rights Capital II L.P.  
 2 (“Defendant”) hereby responds to Plaintiff Steve Wilson Briggs’s (“Plaintiff”) First  
 3 Set of Interrogatories, as follows:

4 **PRELIMINARY STATEMENT AND GENERAL OBJECTIONS**

5 1. As of the date hereof, Defendant has not yet had a sufficient  
 6 opportunity to discover or otherwise obtain and review all documents and materials  
 7 which may have some bearing on this case. Consequently, these responses are  
 8 based only upon such information and documents currently available, known to or  
 9 understood by Defendant. As this action proceeds, Defendant anticipates that  
 10 further discovery, research and analysis may supply additional facts and additional  
 11 meaning to the known facts. Defendant reserves its right to use, as evidence in this  
 12 action, any hereafter-acquired or -discovered information which would have been  
 13 responsive to these interrogatories.

14 2. Defendant will make reasonable efforts to respond to every  
 15 interrogatory, to the extent it has not been objected to, as Defendant understands and  
 16 interprets the interrogatory, provided that the interrogatory is not so vague and  
 17 ambiguous that response is impossible. If Plaintiff subsequently asserts an  
 18 interpretation of the interrogatory which differs from that of Defendant, Defendant  
 19 reserves its right to supplement its objections and responses as necessary.

20 3. These responses are not in any way to be deemed an admission or  
 21 representation that there are no further facts, documents or witnesses having  
 22 knowledge relevant to the subject matter of these interrogatories.

23 4. Defendant objects to these interrogatories to the extent that any  
 24 interrogatory seeks information which is protected from discovery by the attorney-  
 25 client privilege, the attorney work product doctrine, or any other applicable privilege  
 26 or doctrine. Defendant will not disclose any such protected information in response  
 27 to these interrogatories.

28 5. Defendant’s responses are made solely for the purposes of this action.

1 No incidental or implied admissions are intended by these responses.

2       6. Defendant objects to the interrogatories in their entirety to the extent  
3 that they purport to impose obligations on Defendant beyond those set forth in the  
4 Federal Rules of Civil Procedure and Rules of Court.

5       7. With respect to any interrogatory to which Defendant responds,  
6 Defendant does not concede the relevance or materiality of the interrogatory or the  
7 subject matter to which it relates. These responses are made by Defendant subject  
8 to, and without in any way waiving or intending to waive:

9           a. Any objections as to competency, materiality, privilege,  
10 relevancy, propriety, admissibility and/or any other objections on grounds which  
11 would require exclusion of any information contained herein;

12           b. The right to object to other discovery proceedings involving or  
13 relating to the same subject matter as the interrogatories; or

14           c. The right at any time to revise, correct, add to, or clarify any of  
15 the responses set forth herein. Furthermore, these responses are given subject to  
16 correction of any omissions or errors.

17       8. Defendant objects to these interrogatories, and to the definitions  
18 contained therein, to the extent that they call for the disclosure of confidential,  
19 private, proprietary and/or trade secret information.

20       9. Defendant's responses are made subject to all general stated and  
21 specific objections, and Defendant specifically reserves the right to reassert those  
22 objections by motion or at the time of trial.

23

24 **RESPONSES TO INTERROGATORIES**

25 **INTERROGATORY NO. 1**

26       How did you meet (or how were you introduced to) Neill Blomkamp?

27 **RESPONSE TO INTERROGATORY NO. 1**

28       Defendant incorporates by reference the preliminary statement and general

1 objections set forth above. Defendant objects to the request on the basis that it seeks  
 2 information that is neither relevant nor reasonably likely to lead to the discovery of  
 3 admissible evidence. Subject to and without waiving the foregoing objections,  
 4 Defendant responds as follows:

5 Defendant was introduced to Neill Blomkamp through his agent.

6 **INTERROGATORY NO. 2**

7 Please explain exactly what role MRC played in filming, writing, producing,  
 8 financing, distributing, etc., the film *Elysium*.

9 **RESPONSE TO INTERROGATORY NO. 2**

10 Defendant incorporates by reference the preliminary statement and general  
 11 objections set forth above. Defendant objects to the request on the basis that it is  
 12 overbroad, unduly burdensome ,and harassing. Defendant objects to the request on  
 13 the basis that it calls for a narrative. Subject to and without waiving the foregoing  
 14 objections, Defendant responds as follows:

15 The entity named in this lawsuit and referred to by Plaintiff as “MRC,” Media  
 16 Rights Capital II L.P., had no role in the writing, production, financing, or  
 17 distribution of *Elysium* (the “Film”).

18 **INTERROGATORY NO. 3**

19 Under what business name or names (please provide all) did MRC sign any  
 20 and all contracts and/or agreements related to making the film *Elysium*?

21 **RESPONSE TO INTERROGATORY NO. 3**

22 Defendant incorporates by reference the preliminary statement and general  
 23 objections set forth above. Subject to and without waiving the foregoing objections,  
 24 Defendant responds as follows:

25 The entity named in this lawsuit and referred to by Plaintiff as “MRC,” Media  
 26 Rights Capital II L.P., signed no contracts relating to the production of the Film.

27 An entity named MRC II Distribution Company L.P. entered into various  
 28 agreements in connection with the Film, including, *inter alia*, a distribution

1 agreement with TriStar Pictures, Inc.

2 **INTERROGATORY NO. 4**

3 Please describe the all the due diligence you took to be certain Elysium was  
4 an original work, and not an infringement, before you set out to make the film  
5 Elysium?

6 **RESPONSE TO INTERROGATORY NO. 4**

7 Defendant incorporates by reference the preliminary statement and general  
8 objections set forth above. Defendant objects to the request on the basis that it seeks  
9 information that is neither relevant nor reasonably likely to lead to the discovery of  
10 admissible evidence. Subject to and without waiving the foregoing objections,  
11 Defendant responds as follows:

12 The entity named in this lawsuit and referred to by Plaintiff as "MRC," Media  
13 Rights Capital II L.P., had no role in Film.

14 MRC II Distribution Company L.P., which produced the Film, relied upon the  
15 representation and warranty from Neill Blomkamp and his loan out company, Sable  
16 Productions Ltd., that the Film and underlying screenplay were original to him and  
17 not infringing of any rights.

18 **INTERROGATORY NO. 5**

19 How long have YOU been aware of triggerstreet.com?

20 **RESPONSE TO INTERROGATORY NO. 5**

21 Defendant incorporates by reference the preliminary statement and general  
22 objections set forth above. Defendant objects to the request on the basis that it is  
23 unduly burdensome and harassing, in that the request purports to require Defendant  
24 to describe the knowledge of every past and present administrator, employee, agent,  
25 attorney, and representative of Defendant. Subject to and without waiving the  
26 foregoing objections, Defendant responds as follows:

27 Given the number of people involved, it is not reasonably possible for  
28 Defendant to determine whether any past or present administrator, employee, agent,

1 attorney, or representatives learned of the website triggerstreet.com, and if so, when.  
2 Defendant is aware, however, that no person affiliated with Defendant accessed  
3 Plaintiff's screenplay on triggerstreet.com, provided it to Neill Blomkamp, or used it  
4 in any way in the production of the Film.

5 **INTERROGATORY NO. 6**

6 Are YOU or any of your subordinate managers or employees now members,  
7 or have you ever been members, of triggerstreet.com?

8 **RESPONSE TO INTERROGATORY NO. 6**

9 Defendant incorporates by reference the preliminary statement and general  
10 objections set forth above. Defendant objects to the request on the basis that it is  
11 unduly burdensome and harassing, in that the request purports to require Defendant  
12 to indicate whether each and every past and present administrator, employee, agent,  
13 attorney, and representative of Defendant is or has ever been a member of the  
14 triggerstreet.com website. Subject to and without waiving the foregoing objections,  
15 Defendant responds as follows:

16 Given the number of people involved, it is not reasonably possible for  
17 Defendant to determine every past and present administrator, employee, agent,  
18 attorney, and representative that has ever been a member of triggerstreet.com.  
19 Defendant is aware, however, that no person affiliated with Defendant accessed  
20 Plaintiff's screenplay on triggerstreet.com, provided it to Neill Blomkamp, or used it  
21 in any way in the production of the Film.

22 **INTERROGATORY NO. 7**

23 Have you ever read a screenplay or watched a short film that you found  
24 posted on triggerstreet.com, or had a screenplay or short film forwarded to you from  
25 someone who downloaded it from triggerstreet.com?

26 **RESPONSE TO INTERROGATORY NO. 7**

27 Defendant incorporates by reference the preliminary statement and general  
28 objections set forth above. Defendant objects to the request on the basis that it is

1 unduly burdensome and harassing, in that the request purports to require Defendant  
2 to indicate whether each and every past and present administrator, employee, agent,  
3 attorney, and representative of Defendant has ever reviewed a screenplay that was  
4 posted on triggerstreet.com. Subject to and without waiving the foregoing  
5 objections, Defendant responds as follows:

6 Given the number of people involved, it is not reasonably possible for  
7 Defendant to determine whether every past and present administrator, employee,  
8 agent, attorney, and representative of the company has ever read a screenplay that  
9 was posted on triggerstreet.com. Defendant is aware, however, that no person  
10 affiliated with Defendant accessed Plaintiff's screenplay on triggerstreet.com,  
11 provided it to Neill Blomkamp, or used it in any way in the production of the Film.

12 **INTERROGATORY NO. 8**

13 Are you currently involved with, or have you ever been involved with  
14 triggerstreet.com, and/or Kevin Spacey, and/or Dana Brunetti on any projects?

15 **RESPONSE TO INTERROGATORY NO. 8**

16 Defendant incorporates by reference the preliminary statement and general  
17 objections set forth above. Defendant objects to the request on the basis that it is  
18 vague and ambiguous. Subject to and without waiving the foregoing objections,  
19 Defendant responds as follows:

20 Neither Defendant nor any affiliated entity is involved with triggerstreet.com.  
21 MRC II Distribution Company L.P. is among the production companies on the  
22 television series *House of Cards* broadcast on Netflix. Kevin Spacey and Dana  
23 Brunetti, among others, are executive producers of the series, and Mr. Spacey stars  
24 in it.

25 **INTERROGATORY NO. 9**

26 If you answered "Yes", or affirmatively to Interrogatory No. 9, then please  
27 list and provide details and dates of all such project involvements.

28

1 **RESPONSE TO INTERROGATORY NO. 9**

2 Defendant incorporates by reference the preliminary statement and general  
3 objections set forth above. Defendant objects to the request on the basis that it is  
4 vague and ambiguous. Subject to and without waiving the foregoing objections,  
5 Defendant responds as follows:

6 MRC II Distribution Company L.P. is among the production companies on  
7 the television series *House of Cards* broadcast on Netflix. Kevin Spacey and Dana  
8 Brunetti are executive producers of the series, and Mr. Spacey stars in it.

9 **INTERROGATORY NO. 10**

10 When (date) did YOU and Neill Blomkamp (or one or more of his  
11 representatives) FIRST make an agreement (implied, verbal, written, etc.) to work  
12 together to make Elysium?

13 **RESPONSE TO INTERROGATORY NO. 10**

14 Defendant incorporates by reference the preliminary statement and general  
15 objections set forth above. Defendant objects to the request on the basis that it is  
16 vague and ambiguous. Subject to and without waiving the foregoing objections,  
17 Defendant responds as follows:

18 Defendant made no agreement with Neill Blomkamp in connection with the  
19 Film. Oaktree Entertainment, Inc., an affiliate of MRC II Distribution Company  
20 L.P., entered into an agreement with Mr. Blomkamp's loan-out corporation, Sable  
21 Productions Ltd., for the writing of the Film. That agreement was dated as of July  
22 21, 2009.

23 **INTERROGATORY NO. 11**

24 As a film studio experienced in reading screenplays, upon your first reading  
25 of the screenplay "Elysium", please give your impressions of Defendant  
26 Blomkamp's screenwriting skill.

27 **RESPONSE TO INTERROGATORY NO. 11**

28 Defendant incorporates by reference the preliminary statement and general

1 objections set forth above. Defendant objects to the request on the basis that it is  
 2 vague and ambiguous. Defendant objects to the request on the basis that it calls for  
 3 the disclosure of information that is neither relevant nor reasonably likely to lead to  
 4 the discovery of admissible evidence. Defendant objects to the request on the basis  
 5 that it purports to call for an opinion from a legal entity and is therefore  
 6 unanswerable. Subject to and without waiving the foregoing objections, Defendant  
 7 responds as follows:

8 Neill Blomkamp is a skilled writer.

9 **INTERROGATORY NO. 12**

10 If a filmmakers' writing abilities are substantially less developed than the  
 11 ideas, plot, themes and setting the filmmaker is trying to construct, how can a  
 12 responsible studio, producer, investor or financier not see this as a warning that the  
 13 content of the screenplay may have been misappropriated?

14 **RESPONSE TO INTERROGATORY NO. 12**

15 Defendant incorporates by reference the preliminary statement and general  
 16 objections set forth above. Defendant objects to the request on the basis that it is  
 17 unintelligible and unanswerable as phrased. Defendant objects to the request on the  
 18 basis that it assumes facts and is argumentative. Defendant objects to the request on  
 19 the basis that it poses an incomplete hypothetical.

20 **INTERROGATORY NO. 13**

21 Did YOU read Neill Blomkamp's screenplay "Elysium" before you agreed to  
 22 help produce or finance the film Elysium – or, upon the strength of his reputation,  
 23 was it sufficient that Mr. Blomkamp just describe the film's plot and show you a  
 24 few concept posters of his "vision"?

25 **RESPONSE TO INTERROGATORY NO. 13**

26 Defendant incorporates by reference the preliminary statement and general  
 27 objections set forth above. Defendant objects to the request on the basis that it is  
 28 compound, vague and ambiguous, unintelligible, and unanswerable as phrased.

1 Defendant objects to the request on the basis that it assumes facts. Subject to and  
 2 without waiving the foregoing objections, Defendant responds as follows:

3           Defendant was not involved in the production of the Film. MRC II  
 4 Distribution Company L.P.'s approval of a screenplay from Mr. Blomkamp was a  
 5 condition of its financing of the Film.

6 **INTERROGATORY NO. 14**

7           Please explain, without reading an actual screenplay of a prospective film to  
 8 cross-reference against other creative works, how is it possible to do "due diligence"  
 9 to ensure a film you have agreed to produce or finance is not an infringement of  
 10 another party's copyrighted work?

11 **RESPONSE TO INTERROGATORY NO. 14**

12           Defendant incorporates by reference the preliminary statement and general  
 13 objections set forth above. Defendant objects to the request on the basis that it is  
 14 unintelligible, asks for lay opinion, poses a hypothetical, and for each of the  
 15 foregoing reasons is an improper interrogatory as phrased. Defendant objects to the  
 16 request on the basis that it calls for a narrative. Defendant objects to the request on  
 17 the basis that it seeks the disclosure of information that is neither relevant nor  
 18 reasonably likely to lead to the discovery of admissible evidence.

19 **INTERROGATORY NO. 15**

20           Did YOU and/or any other Defendant, or any other Elysium producer, or cast  
 21 or crew member ever express any concern, questions, surprise or disbelief that the  
 22 leading man of Elysium, Max (a former criminal bachelor, who had a limited time to  
 23 fight and kill to save his own life), would suddenly abandon his mission in order to  
 24 save a six year old girl with whom he has no relationship, and has known for less  
 25 than one day?

26 **RESPONSE TO INTERROGATORY NO. 15**

27           Defendant incorporates by reference the preliminary statement and general  
 28 objections set forth above. Defendant objects to the request on the basis that it

1 assumes facts and mischaracterizes the facts. In answering this request, Defendant  
 2 does not stipulate that Plaintiff's characterization of the facts is accurate. Subject to  
 3 and without waiving the foregoing objections, Defendant responds as follows:

4 No.

5 **INTERROGATORY NO. 16**

6 Did YOU and/or any other Defendant, or any other Elysium producer, or cast  
 7 or crew member ever suggest to any of the Defendants that perhaps the characters  
 8 "Frey" and "Matilda" should be the character Max's wife and daughter,  
 9 respectively, to make the story and the relationships more believable and  
 10 meaningful?

11 **RESPONSE TO INTERROGATORY NO. 16**

12 Defendant incorporates by reference the preliminary statement and general  
 13 objections set forth above. Defendant objects to the request on the basis that it is  
 14 argumentative and improperly characterizes the facts concerning the "believability"  
 15 of the Film. In answering this request, Defendant does not stipulate that Plaintiff's  
 16 characterization of the facts is accurate. Subject to and without waiving the  
 17 foregoing objections, Defendant responds as follows:

18 No.

19 **INTERROGATORY NO. 17**

20 Simon Kinberg is a writer and "script doctor" (a writer who fixes scripts that  
 21 have serious problems). Simon Kinberg is listed as a producer of Elysium. Exactly  
 22 what duties did Simon Kinberg play in the production and/or script doctoring of the  
 23 screenplay and film "Elysium"?

24 **RESPONSE TO INTERROGATORY NO. 17**

25 Defendant incorporates by reference the preliminary statement and general  
 26 objections set forth above. Defendant objects to the request on the basis that it  
 27 assumes facts and/or improperly characterizes the facts. In answering this request,  
 28 Defendant does not stipulate that Plaintiff's characterization of the facts is accurate.

1 Subject to and without waiving the foregoing objections, Defendant responds as  
 2 follows:

3 Simon Kinberg produced the Film. As producer, Mr. Kinberg also assisted  
 4 with a polish of the Film's screenplay during the later stages of writing.

5 **INTERROGATORY NO. 18**

6 Please list the aspects of Elysium that you believe are copyrightable?

7 **RESPONSE TO INTERROGATORY NO. 18**

8 Defendant incorporates by reference the preliminary statement and general  
 9 objections set forth above. Defendant objects to the request on the basis that it seeks  
 10 information that is neither relevant nor reasonably likely to lead to the discovery of  
 11 admissible evidence. Defendant objects to the request on the basis that it calls for a  
 12 legal conclusion.

13 **INTERROGATORY NO. 19**

14 Please explain exactly the role that YOU alleged MRC II Distribution  
 15 Company played in making, producing, distributing, financing, etc., Elysium in your  
 16 Answers and Affirmative Defenses to the Plaintiff's Amended Complaint.

17 **RESPONSE TO INTERROGATORY NO. 19**

18 Defendant incorporates by reference the preliminary statement and general  
 19 objections set forth above. Subject to and without waiving the foregoing objections,  
 20 Defendant responds as follows:

21 MRC II Distribution Company L.P. financed the Film and served as studio,  
 22 overseeing all production of the Film.

23 **INTERROGATORY NO. 20**

24 If, as you alleged, MRC II Distribution Company played a prominent roll  
 25 [sic] in the making or financing Elysium, why is MRC (Media Rights Capital)  
 26 credited with financing and producing Elysium in the opening credits of the film  
 27 Elysium, and all of the film's official websites, as well as MRC's website, and  
 28 Elysium's Wikipedia page - and no mention of MRC II Distribution Company in the

1 credits or any of official sites, etc.?

2 **RESPONSE TO INTERROGATORY NO. 20**

3 Defendant incorporates by reference the preliminary statement and general  
4 objections set forth above. Defendant objects to the request on the basis that it  
5 assumes facts and/or characterizes the facts. In answering this request, Defendant  
6 does not stipulate that Plaintiff's characterization of the facts is accurate. Subject to  
7 and without waiving the foregoing objections, Defendant responds as follows:

8 "Media Rights Capital" is the name colloquially used in the press and in  
9 credits for projects that MRC II Distribution Company L.P. finances and/or  
10 produces.

11 **INTERROGATORY NO. 21**

12 Have any of the other Defendants signed any agreements with MRC II  
13 Distribution Company related to the making of Elysium (prior to the release of the  
14 film Elysium, 08/09/2013) - or were their agreements all made with Media Rights  
15 Capital (AKA: MRC, Media Rights Capital II, L.P., or MRC II L.P.)?

16 **RESPONSE TO INTERROGATORY NO. 21**

17 Defendant incorporates by reference the preliminary statement and general  
18 objections set forth above. Subject to and without waiving the foregoing objections,  
19 Defendant responds as follows:

20 Yes. MRC II Distribution Company L.P. signed a distribution agreement  
21 with TriStar Pictures, Inc. dated as of January 26, 2011.

22 **INTERROGATORY NO. 22**

23 Please provide the business addresses, business phone numbers, and names  
24 and titles of all of the executives and/or administrators, and the approximate number  
25 of employees of EACH of the following MRC companies: 1) Media Rights Capital;  
26 2) Media Rights Capital II, L.P.; 3) MRC II, L.P.; 4) MRC II Distribution Company.

27 **RESPONSE TO INTERROGATORY NO. 22**

28 Defendant incorporates by reference the preliminary statement and general

1 objections set forth above. Defendant objects to the request on the basis that it seeks  
 2 information that is neither relevant nor reasonably likely to lead to the discovery of  
 3 admissible evidence. Defendant objects to the request on the basis that it is unduly  
 4 burdensome and harassing.

5 **INTERROGATORY NO. 23**

6 Do you personally know (via face-to-face, phone, text, email exchanges, etc.)  
 7 any of the following filmmakers, film companies, and agents: Mathew Morris,  
 8 David Faigenblum, Samatha Powers, the Cedar grove Agency, Zero Gravity  
 9 management, Georgia Vestakis, Atchity Entertainment International (AEI),  
 10 Hollywood Lit Sales, PMA Literary and Film Management, South17 Entertainment,  
 11 Matthew Morris, Andrew Bellware, Braidwood Films, Mubarik Ahmed, Empyrean  
 12 Pictures, Loren Smith, Filmsmith Pictures, Gregory Bell, or Globocene  
 13 International?

14 **RESPONSE TO INTERROGATORY NO. 23**

15 Defendant incorporates by reference the preliminary statement and general  
 16 objections set forth above. Defendant objects to the request on the basis that it seeks  
 17 information that is neither relevant nor reasonably likely to lead to the discovery of  
 18 admissible evidence. Defendant objects to the request on the basis that it is  
 19 overbroad, unduly burdensome, and harassing, in that the request purports to require  
 20 Defendant to determine whether every past and present administrator, employee,  
 21 agent, attorney, and representative of Defendant has met or communicated with any  
 22 of the individuals identified in the request or with any person affiliated with any of  
 23 the companies identified in the request. Given the number of people involved, it is  
 24 not reasonably possible to comply with this request.

25 **INTERROGATORY NO. 24**

26 If you answered yes to Interrogatory No. 23, please describe the relationship  
 27 that you have with each person or company you know on that list.  
 28

1 **RESPONSE TO INTERROGATORY NO. 24**

2       Defendant incorporates by reference the preliminary statement and general  
3 objections set forth above. Defendant objects to the request on the basis that it seeks  
4 information that is neither relevant nor reasonably likely to lead to the discovery of  
5 admissible evidence. Defendant objects to the request on the basis that it is  
6 overbroad, unduly burdensome, and harassing, in that it purports to require  
7 Defendant to determine and identify whether every past and present administrator,  
8 employee, agent, attorney, and representative of Defendant has met or  
9 communicated with any of the individuals identified in the request or with any  
10 person affiliated with any of the companies identified in the request, and to then  
11 describe the nature of the relationship between such persons. Given the number of  
12 people involved, it is not reasonably possible to comply with this request.

13 **INTERROGATORY NO. 25**

14       What country (countries) were MRC's founders, Modi Wiczyk and Asif  
15 Satchu born?

16 **RESPONSE TO INTERROGATORY NO. 25**

17       Defendant incorporates by reference the preliminary statement and general  
18 objections set forth above. Defendant objects to the request on the basis that it seeks  
19 information that is neither relevant nor reasonably likely to lead to the discovery of  
20 admissible evidence.

22 DATED: June 17, 2014

KINSELLA WEITZMAN ISER  
KUMP & ALDISERT LLP

25 By:   
26

27 Gregory P. Korn  
28 Attorneys for Defendants

10021.00015/214626.1

## **VERIFICATION**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing **DEFENDANT MEDIA RIGHTS CAPITAL'S RESPONSE**  
**TO PLAINTIFF'S FIRST SET OF INTERROGATORIES** and know its contents.

I am Senior VP, Head of Film Business/Legal Affairs of Media Rights Capital, a party to this action, and am authorized to make this verification for and on its behalf. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

Executed on June 16, 2014, at Beverly Hills, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Jonathan Golfman  
Print Name of Signatory

Signature

**WEITZMAN ISER KUMP & ALDISERT LLP**  
808 WILSHIRE BOULEVARD, 3<sup>rd</sup> FLOOR  
SANTA MONICA, CALIFORNIA 90401  
TEL 310.566.9800 • FAX 310.566.9850

**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 808 Wilshire Boulevard, 3rd Floor, Santa Monica, CA 90401.

On June 17, 2014, I served true copies of the following document(s) described as:

**DEFENDANT MEDIA RIGHTS CAPITAL'S RESPONSE TO PLAINTIFF'S FIRST SET OF INTERROGATORIES**

on the interested parties in this action as follows:

Steve Wilson Briggs 681 Edna Way San Mateo, CA 94402 Tele.: 510.200.3763 Email: <a href="mailto:snc.steve@gmail.com">snc.steve@gmail.com</a>	<i>Plaintiff Pro Se</i>
----------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------

**BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the address listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Kinsella Weitzman Iser Kump & Aldisert's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope with postage fully prepaid.

**BY OVERNIGHT DELIVERY:** I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the person at the address above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused the document(s) to be sent from e-mail address [bdipalma@kwikalaw.com](mailto:bdipalma@kwikalaw.com) to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**BY HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the office of the addressee(s).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 17, 2014, at Santa Monica, California.



Barbara DiPalma

# **Exhibit BB**

[NEWS](#)[SPORTS](#)[ARTS & LIFE](#)[DRIVING](#)

---

# Elysium's ready as director Blomkamp ahead to next project



**GLEN SCHAEFER**  
[More from Glen Schaefer](#)

**Published:**  
February 14, 2013

**Updated:**  
February 14, 2013 6:00 AM PDT

**Filed Under:**  
The Province › Arts & Life › Entertainment



**Neill Blomkamp and Terri Tatchell**

Elysium, the long-awaited follow-up to Vancouver dir. Blomkamp's District 9, is all but done now, awaiting a in August.

[NEWS](#)[SPORTS](#)[ARTS & LIFE](#)[DRIVING](#)

Blomkamp in an e-mail.

The new movie stars Matt Damon and Jodie Foster in a future where humanity's elite have fled the ruined Earth to space stations while the planet's poor struggle to survi

The 33-year-old Blomkamp moved to Vancouver as a family from South Africa, and quickly earned a reputation as a visual effects prodigy in Vancouver's busy effects scene.

His debut feature, 2009's *District 9*, catapulted him to feature directors, a box-office and critical hit that also earned nominations for best picture, best screenplay (for Blomkamp and wife and writing partner) and best editing for Julian Clarke and best visual effects for a team based at Image Engine.

The movie about an alien ghetto was filmed in Johannesburg, and extensive post-production was handled in Vancouver.

All eyes were on Blomkamp in the summer of 2011 when he was here on *Elysium*. Many of the same collaborators were back, though Blomkamp wrote this screenplay on his own.

Filming continued under tight secrecy until that September, when the show moved to Mexico City.

Then came more than a year of post-production work, which is still finishing now.

"*Elysium* is basically done at the end of February," Blomkamp says. "We have some straggling VFX shots that go into April but the stuff looks absolutely amazing."

Here's a look at Damon from the movie:

[NEWS](#)[SPORTS](#)[ARTS & LIFE](#)[DRIVING](#)

The director has already begun prep work on a third *Snowpiercer*, which will take him back to Johannesburg for principal photography. Blomkamp has reteamed with his screenwriter wife Tatchell to co-write a new comedy called *Chappie*. But as with the previous two movies, most of the production and visual effects will happen in Vancouver.

And the Vancouver team that rose to prominence with *Elysium* have become in-demand players in their own right. For example, Clarke has since worked on *The Whistleblower* and *The Host*. Vancouver-based cinematographer Trent Opaloch will also be back behind the camera for the mega-budget superhero sequel *Captain America: Civil War*, due in theatres in 2014.

As for Blomkamp's co-writer and spouse Tatchell, she has had a successful career as a writer and producer in her own right. She co-wrote the first three books of the *Paranormal Activity* franchise of paranormal teen novels by U.S. writer Amanda Hocking, and has also written the screenplay adaptation for the first of those books.

**O** [Comments](#)  
Share your thoughts

#### TOP STORIES

**'This is fraud, pure and simple': Music boss rips Pemberton Festival**

**Sea lion attack video goes viral while victim and family vanishes**

**Travis Selje's family blown away by Whitecaps fan tribute**

# **Exhibit CC**

**KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP**  
MICHAEL J. KUMP (SBN 100983)  
mkump@kwikalaw.com  
**GREGORY P. KORN (SBN 205306)**  
gkorn@kwikalaw.com  
808 Wilshire Boulevard, 3rd Floor  
Santa Monica, California 90401  
Telephone: 310.566.9800  
Facsimile: 310.566.9850

**6** Attorneys for Defendants  
**7** NEILL BLOMKAMP, SONY PICTURES  
ENTERTAINMENT INC., TRISTAR  
**8** PICTURES, INC., MEDIA RIGHTS  
CAPITAL II, L.P., and QED  
INTERNATIONAL, LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA (OAKLAND)**

3 STEVE WILSON BRIGGS,  
4 Plaintiff,  
5 vs.  
6 NEILL BLOMKAMP; SONY  
7 PICTURES ENT., INC., TRISTAR  
PICTURES, INC., MEDIA RIGHTS  
8 CAPITAL, and QED  
INTERNATIONAL,  
9 Defendants.

Case No. CV 13-4679-PJH

**DEFENDANT NEILL  
BLOMKAMP'S RESPONSE TO  
PLAINTIFF'S FIRST SET OF  
INTERROGATORIES**

22 PROPOUNDING PARTY: Plaintiff Steve Wilson Briggs  
23 RESPONDING PARTY: Defendant Neill Blomkamp  
24 SET NUMBER: One (1)

1 Pursuant to Fed. R. Civ. P. 33, Defendant Neill Blomkamp ("Defendant")  
 2 hereby responds to Plaintiff Steve Wilson Briggs' ("Plaintiff") First Set of  
 3 Interrogatories, as follows:

4 **PRELIMINARY STATEMENT AND GENERAL OBJECTIONS**

5 1. As of the date hereof, Defendant has not yet had a sufficient  
 6 opportunity to discover or otherwise obtain and review all documents and materials  
 7 which may have some bearing on this case. Consequently, these responses are  
 8 based only upon such information and documents currently available, known to or  
 9 understood by Defendant. As this action proceeds, Defendant anticipates that  
 10 further discovery, research and analysis may supply additional facts and additional  
 11 meaning to the known facts. Defendant reserves his right to use, as evidence in this  
 12 action, any hereafter-acquired or -discovered information which would have been  
 13 responsive to these interrogatories.

14 2. Defendant will make reasonable efforts to respond to every  
 15 interrogatory, to the extent it has not been objected to, as Defendant understands and  
 16 interprets the interrogatory, provided that the interrogatory is not so vague and  
 17 ambiguous that response is impossible. If Plaintiff subsequently asserts an  
 18 interpretation of the interrogatory which differs from that of Defendant, Defendant  
 19 reserves his right to supplement his objections and responses as necessary.

20 3. These responses are not in any way to be deemed an admission or  
 21 representation that there are no further facts, documents or witnesses having  
 22 knowledge relevant to the subject matter of these interrogatories.

23 4. Defendant objects to these interrogatories to the extent that any  
 24 interrogatory seeks information which is protected from discovery by the attorney-  
 25 client privilege, the attorney work product doctrine, or any other applicable privilege  
 26 or doctrine. Defendant will not disclose any such protected information in response  
 27 to these interrogatories.

28

5. Defendant's responses are made solely for the purposes of this action.

**2** No incidental or implied admissions are intended by these responses.

3       6. Defendant objects to the interrogatories in their entirety to the extent  
4 that they purport to impose obligations on Defendant beyond those set forth in the  
5 Federal Rules of Civil Procedure and Rules of Court.

6        7. With respect to any interrogatory to which Defendant responds,  
7 Defendant does not concede the relevance or materiality of the interrogatory or the  
8 subject matter to which it relates. These responses are made by Defendant subject  
9 to, and without in any way waiving or intending to waive:

10 a. Any objections as to competency, materiality, privilege,  
11 relevancy, propriety, admissibility and/or any other objections on grounds which  
12 would require exclusion of any information contained herein;

13                   b.     The right to object to other discovery proceedings involving or  
14 relating to the same subject matter as the interrogatories; or

15 c. The right at any time to revise, correct, add to, or clarify any of  
16 the responses set forth herein. Furthermore, these responses are given subject to  
17 correction of any omissions or errors.

18        8. Defendant objects to these interrogatories, and to the definitions  
19 contained therein, to the extent that they call for the disclosure of confidential,  
20 private, proprietary and/or trade secret information.

21        9.      Defendant's responses are made subject to all general stated and  
22 specific objections, and Defendant specifically reserves the right to reassert those  
23 objections by motion or at the time of trial.

## **RESPONSES TO INTERROGATORIES**

**25 | INTERROGATORY NO. 1**

26 How did you meet (or how were you introduced to) MRC (particularly  
27 Mordecai Wiczyk and Asif Satchu)?

**1 RESPONSE TO INTERROGATORY NO. 1**

Defendant incorporates by reference the preliminary statement and general objections set forth above. Defendant objects to the request on the basis that it calls for the disclosure of information that is neither relevant nor reasonably likely to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant responds as follows:

I was introduced to Mordecai Wiczyk by my agent.

**8 INTERROGATORY NO. 2**

Exactly what role did MRC play in filming, writing, producing, financing, distributing — or any other role played in making *Elysium*? If you understand MRC to be more than one company, please explain the roles that each of these companies played, and identify these separate companies by name.

**13 RESPONSE TO INTERROGATORY NO. 2**

Defendant incorporates by reference the preliminary statement and general objections set forth above. Defendant objects to the request on the basis that it calls for the disclosure of information that is neither relevant nor reasonably likely to lead to the discovery of admissible evidence. Defendant objects to the request on the basis that it is overly burdensome and harassing. Defendant objects to the request on the basis that it calls for a narrative. Subject to and without waiving the foregoing objections, Defendant responds as follows:

Although I am aware that “Media Rights Capital” was credited as a producer of *Elysium* (the “Film”), I do not know the legal name of that entity. I will refer to this production company as “MRC” “in these responses.

MRC financed and produced the Film.

**25 INTERROGATORY NO. 3**

What do you understand MRC’s true business name to be?

**27 RESPONSE TO INTERROGATORY NO. 3**

Defendant incorporates by reference the preliminary statement and general

1 objections set forth above. Subject to and without waiving the foregoing objections,  
 2 Defendant responds as follows:

3 I have no knowledge of the official legal name of MRC.

4 **INTERROGATORY NO. 4**

5 How does MRC's name appear on any agreements(s) and contracts that you  
 6 have signed into or engaged in with MRC.

7 **RESPONSE TO INTERROGATORY NO. 4**

8 Defendant incorporates by reference the preliminary statement and general  
 9 objections set forth above. Subject to and without waiving the foregoing objections,  
 10 Defendant responds as follows:

11 My loan-out corporation, Sable Productions, Ltd., entered into a writing  
 12 agreement with an entity called Oaktree Entertainment, Inc. No entity called  
 13 "MRC" or "Media Rights Capital" was a party to that agreement.

14 My directing deal was entered into with MRC II Holdings L.P.

15 **INTERROGATORY NO. 5**

16 Do you consider yourself a skilled and able writer?

17 **RESPONSE TO INTERROGATORY NO. 5**

18 Defendant incorporates by reference the preliminary statement and general  
 19 objections set forth above. Defendant objects to the request on the basis that it seeks  
 20 a subjective opinion and is an improper interrogatory under the Federal Rules of  
 21 Civil Procedure. Defendant objects to the request on the basis that it seeks  
 22 information that is neither relevant nor reasonably likely to lead to the discovery of  
 23 admissible evidence. Subject to and without waiving the foregoing objections,

24 Defendant responds as follows:

25 Yes.

26 **INTERROGATORY NO. 6**

27 How did you develop your literary "skills"?

**1 RESPONSE TO INTERROGATORY NO. 6**

2 Defendant incorporates by reference the preliminary statement and general  
3 objections set forth above. Defendant objects to the request on the basis that it seeks  
4 information that is neither relevant nor reasonably likely to lead to the discovery of  
5 admissible evidence. Defendant objects to the request on the basis that it calls for a  
6 narrative. Subject to and without waiving the foregoing objections, Defendant  
7 responds as follows:

8 My writing skills are the result of a lifetime of experiences that include my  
9 experience writing and directing short films and feature films.

**10 INTERROGATORY NO. 7**

11 How long have YOU been aware of triggerstreet.com?

**12 RESPONSE TO INTERROGATORY NO. 7**

13 Defendant incorporates by reference the preliminary statement and general  
14 objections set forth above. Defendant objects to the request on the basis that it  
15 assumes facts. Subject to and without waiving the foregoing objections, Defendant  
16 responds as follows:

17 I was not aware of the website triggerstreet.com until this lawsuit was filed.

**18 INTERROGATORY NO. 8**

19 Are YOU or any of your subordinate managers or employees now members,  
20 or have you ever been members, of triggerstreet.com? If "yes" provide dates of  
21 enrollment and termination of membership, and complete details of your  
22 involvement on triggerstreet.com.

**23 RESPONSE TO INTERROGATORY NO. 8**

24 Defendant incorporates by reference the preliminary statement and general  
25 objections set forth above. Defendant objects to the request on the basis that the  
26 term "subordinate managers" is vague. Subject to and without waiving the  
27 foregoing objections, Defendant responds as follows:

28 No.

**1 INTERROGATORY NO. 9**

2       Are you aware that the Plaintiff believes that you accessed his work, Butterfly  
 3 Driver, on triggerstreet.com in 2007?

**4 RESPONSE TO INTERROGATORY NO. 9**

5       Defendant incorporates by reference the preliminary statement and general  
 6 objections set forth above. Subject to and without waiving the foregoing objections,  
 7 Defendant responds as follows:

8       I am aware based on the complaint that was filed that the plaintiff in this case  
 9 alleges that I obtained his screenplay on a website called triggerstreet.com. That  
 10 allegation is false.

**11 INTERROGATORY NO. 10**

12      You had never written a feature-length film before District 9 was released in  
 13 2009 (two years after the Plaintiff believes you accessed his work), is that true?

**14 RESPONSE TO INTERROGATORY NO. 10**

15      Defendant incorporates by reference the preliminary statement and general  
 16 objections set forth above. Defendant objects to the request on the basis that it seeks  
 17 information that is neither relevant nor reasonably likely to lead to the discovery of  
 18 admissible evidence. Subject to and without waiving the foregoing objections,  
 19 Defendant responds as follows:

20       Yes.

**21 INTERROGATORY NO. 11**

22      Much like Butterfly Driver, District 9 deals with a lot of social themes (such a  
 23 segregation and class division), yet, the Plaintiff has not accused District 9 of  
 24 violating his copyrights, is that true?

**25 RESPONSE TO INTERROGATORY NO. 11**

26      Defendant incorporates by reference the preliminary statement and general  
 27 objections set forth above. Defendant objects to the request on the basis that it seeks  
 28 information that is neither relevant nor reasonably likely to lead to the discovery of

1 admissible evidence. Defendant objects to the request on the basis that it assumes  
 2 facts and/or is an improper characterization of the facts. In answering this request,  
 3 Defendant does not stipulate that Plaintiff's characterization of the facts is accurate.  
 4 Subject to and without waiving the foregoing objections, Defendant responds as  
 5 follows:

6 It is my understanding that Plaintiff does not allege that *District 9* infringes  
 7 any copyright that he owns.

8 **INTERROGATORY NO. 12**

9 Your first feature film, "District 9", and your third (and forthcoming) film,  
 10 "Chappie", were both written by Terri Tatcher (your wife) and you, together, is that  
 11 true?

12 **RESPONSE TO INTERROGATORY NO. 12**

13 Defendant incorporates by reference the preliminary statement and general  
 14 objections set forth above. Defendant objects to the request on the basis that it seeks  
 15 information that is neither relevant nor reasonably likely to lead to the discovery of  
 16 admissible evidence. Defendant objects to the request on the basis that it assumes  
 17 facts and/or is an improper characterization of the facts. In answering this request,  
 18 Defendant does not stipulate that Plaintiff's characterization of the facts is accurate.  
 19 Subject to and without waiving the foregoing objections, Defendant responds as  
 20 follows:

21 *District 9* and the upcoming film *Chappie* were written by me and my wife,  
 22 Terri Tatchell.

23 **INTERROGATORY NO. 13**

24 Sharlto Copley, the leading man of District 9 (and a villain of "Elysium") has  
 25 said in numerous interviews and articles that he improvised every line of District 9  
 26 and had no script dialogue to work from, and, online, there is seemingly no one who  
 27 has ever seen a screenplay for the movie District 9. Did you write a screenplay for  
 28 District 9?

**1 RESPONSE TO INTERROGATORY NO. 13**

2 Defendant incorporates by reference the preliminary statement and general  
3 objections set forth above. Defendant objects to the request on the basis that it seeks  
4 information that is neither relevant nor reasonably likely to lead to the discovery of  
5 admissible evidence. Defendant objects to the request on the basis that it assumes  
6 facts and/or is an improper characterization of the facts. In answering this request,  
7 Defendant does not stipulate that Plaintiff's characterization of the facts is accurate.  
8 Subject to and without waiving the foregoing objections, Defendant responds as  
9 follows:

10 Yes.

**11 INTERROGATORY NO. 14**

12 If you did write a screenplay for District 9 did it have dialogue?

**13 RESPONSE TO INTERROGATORY NO. 14**

14 Defendant incorporates by reference the preliminary statement and general  
15 objections set forth above. Defendant objects to the request on the basis that it seeks  
16 information that is neither relevant nor reasonably likely to lead to the discovery of  
17 admissible evidence. Defendant objects to the request on the basis that it assumes  
18 facts and/or is an improper characterization of the facts. In answering this request,  
19 Defendant does not stipulate that Plaintiff's characterization of the facts is accurate.  
20 Subject to and without waiving the foregoing objections, Defendant responds as  
21 follows:

22 Yes.

**23 INTERROGATORY NO. 15**

24 If you did write a screenplay for District 9 with dialogue, why does Sharlto  
25 Copley say he had to improvise every line?

**26 RESPONSE TO INTERROGATORY NO. 15**

27 Defendant incorporates by reference the preliminary statement and general  
28 objections set forth above. Defendant objects to the request on the basis that it seeks

1 information that is neither relevant nor reasonably likely to lead to the discovery of  
 2 admissible evidence. Defendant objects to the request on the basis that it assumes  
 3 facts and/or is an improper characterization of the facts. In answering this request,  
 4 Defendant does not stipulate that Plaintiff's characterization of the facts is accurate.  
 5 Subject to and without waiving the foregoing objections, Defendant responds as  
 6 follows:

7       Although there was a screenplay for *District 9*, Sharlto Copley improvised  
 8 lines in that film.

9 **INTERROGATORY NO. 16**

10     Since you had never independently written a feature-length screenplay before  
 11 (or after) Elysium, through what process did you acquire the many ideas and literary  
 12 skills required to write such an ambitious and elaborate screenplay?

13 **RESPONSE TO INTERROGATORY NO. 16**

14     Defendant incorporates by reference the preliminary statement and general  
 15 objections set forth above. Defendant objects to the request on the basis that it seeks  
 16 information that is neither relevant nor reasonably likely to lead to the discovery of  
 17 admissible evidence. Defendant objects to the request on the basis that it assumes  
 18 facts and improperly characterizes the facts. Defendant objects to the request on the  
 19 basis that it calls for a narrative. Defendant objects to the request on the basis that it  
 20 is unduly burdensome and harassing to ask Defendant to describe the genesis of  
 21 every idea in the Film as well as the history of his life, education, and career which  
 22 contributes to his "literary skills."

23 **INTERROGATORY NO. 17**

24     Did any of Elysium's producers, or your Elysium co-workers, express  
 25 concerns questions, surprise or disbelief that the leading man of Elysium, Max (a  
 26 former criminal bachelor, who has a limited time to fight and kill to save his own  
 27 life), would suddenly abandon his mission in order to save a six year old girl with  
 28 whom he has no relationship, and has known for less than one day?

**1 RESPONSE TO INTERROGATORY NO. 17**

2       Defendant incorporates by reference the preliminary statement and general  
 3 objections set forth above. Defendant objects to the request on the basis that it seeks  
 4 information that is neither relevant nor reasonably likely to lead to the discovery of  
 5 admissible evidence. Defendant objects to the request on the basis that it assumes  
 6 facts and improperly characterizes the facts. In answering this request, Defendant  
 7 does not stipulate that Plaintiff's characterization of the facts is accurate. Subject to  
 8 and without waiving the foregoing objections, Defendant responds as follows:

9                  No.

**10 INTERROGATORY NO. 18**

11                  If you answered "Yes" to Interrogatory No. 17, please explain and provide  
 12 details about conversations and exchanges (including emails, texts, etc.) regarding  
 13 these concerns, questions, etc.

**14 RESPONSE TO INTERROGATORY NO. 18**

15                  N/A.

**16 INTERROGATORY NO. 19**

17                  As a married father of a daughter, did it ever occur to you that it might be  
 18 more effective to make the little girl in Elysium (Matilda) Max's daughter, and  
 19 make Frey Max's wife?

**20 RESPONSE TO INTERROGATORY NO. 19**

21                  Defendant incorporates by reference the preliminary statement and general  
 22 objections set forth above. Defendant objects to the request on the basis that it seeks  
 23 information that is neither relevant nor reasonably likely to lead to the discovery of  
 24 admissible evidence. Defendant objects to the request on the basis that the phrase  
 25 "more effective" is vague and ambiguous. Defendant objects to the request on the  
 26 basis that it is argumentative and harassing.

**27 INTERROGATORY NO. 20**

28                  When was the final day of video editing (not audio or music editing) of

1 Elysium?

2 **RESPONSE TO INTERROGATORY NO. 20**

3 Defendant incorporates by reference the preliminary statement and general  
 4 objections set forth above. Defendant objects to the request on the basis that it seeks  
 5 information that is neither relevant nor reasonably likely to lead to the discovery of  
 6 admissible evidence. Defendant objects to the request on the basis that the phrase  
 7 “video editing” is vague and ambiguous. Subject to and without waiving the  
 8 foregoing objections, Defendant responds as follows:

9 Sometime in or about June 2013.

10 **INTERROGATORY NO. 21**

11 Simon Kinberg is a well known writer who has often acted as a “script  
 12 doctor” (a writer who fixes scripts that have serious problems) on many big-budget  
 13 productions. Simon Kinberg is listed as a producer of Elysium. Exactly what duties  
 14 did Simon Kinberg play in the production and/or script doctoring of the screenplay  
 15 and film “Elysium”? Please provide précises details and descriptions of these duties.

16 **RESPONSE TO INTERROGATORY NO. 21**

17 Defendant incorporates by reference the preliminary statement and general  
 18 objections set forth above. Defendant objects to the request on the basis that it seeks  
 19 information that is neither relevant nor reasonably likely to lead to the discovery of  
 20 admissible evidence. Defendant objects to the request on the basis that it assumes  
 21 facts and improperly characterizes the facts. In answering this request, Defendant  
 22 does not stipulate that Plaintiff’s characterization of the facts is accurate. Subject to  
 23 and without waiving the foregoing objections, Defendant responds as follows:

24 Simon Kinberg was the producer of the Film. I wrote the script for the Film  
 25 without Mr. Kinberg’s assistance. After photography of the Film began, Mr.  
 26 Kinberg reviewed edits to the script and worked with me to develop ideas for  
 27 revisions to the script.

28

1 **INTERROGATORY NO. 22**

2 To your way of thinking, what aspects of Elysium are copyrightable?

3 **RESPONSE TO INTERROGATORY NO. 22**

4 Defendant incorporates by reference the preliminary statement and general  
5 objections set forth above. Defendant objects to the request on the basis that it seeks  
6 information that is neither relevant nor reasonably likely to lead to the discovery of  
7 admissible evidence. Defendant objects to the request on the basis that it calls for a  
8 legal conclusion.

9 **INTERROGATORY NO. 23**

10 Do you know any of the following filmmakers, film companies, and agents:  
11 Mathew Morris, David Faigenblum, Samatha Powers, the Cedar grove Agency,  
12 Zero Gravity management, Georgia Vestakis, Atchity Entertainment International  
13 (AEI), Hollywood Lit Sales, PMA Literary and Film Management, South17  
14 Entertainment, Matthew Morris, Andrew Bellware, Braidwood Films, Mubarik  
15 Ahmed, Empyrean Pictures, Loren Smith, Filsmith Pictures, Gregory Bell,  
16 Globocene International?

17 **RESPONSE TO INTERROGATORY NO. 23**

18 Defendant incorporates by reference the preliminary statement and general  
19 objections set forth above. Defendant objects to the request on the basis that it seeks  
20 information that is neither relevant nor reasonably likely to lead to the discovery of  
21 admissible evidence. Subject to and without waiving the foregoing objections,  
22 Defendant responds as follows:

23 No.

24 **INTERROGATORY NO. 24**

25 If you answered yes to the previous question please describe the relationship  
26 that you have with that or those person(s) or company (companies). Please provide  
27 dates, too.

28

1 **RESPONSE TO INTERROGATORY NO. 24**

2 N/A.

3 **INTERROGATORY NO. 25**

4 At any time prior to writing Elysium did you ever read (or hear about) the  
5 Plaintiff's work "Butterfly Driver" or "Uberopolis: City of Light"?

6 **RESPONSE TO INTERROGATORY NO. 25**

7 Defendant incorporates by reference the preliminary statement and general  
8 objections set forth above. Subject to and without waiving the foregoing objections,  
9 Defendant responds as follows:

10 No.

11

12 DATED: June 17, 2014

KINSELLA WEITZMAN ISER  
KUMP & ALDISERT LLP

13

14

15 By: 

16 Gregory P. Korn  
17 Attorneys for Defendants  
18 NEILL BLOMKAMP, SONY PICTURES  
19 ENTERTAINMENT INC., TRISTAR  
20 PICTURES, INC., MEDIA RIGHTS  
21 CAPITAL II, L.P., and QED  
22 INTERNATIONAL, LLC

1  
2  
3  
**4 VERIFICATION TO COME**  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

---

KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP  
808 WILSHIRE BOULEVARD, 3<sup>rd</sup> FLOOR  
SANTA MONICA, CALIFORNIA 90401  
TEL 310.566.9800 • FAX 310.566.9850

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 At the time of service, I was over 18 years of age and **not a party to this action**. I am  
4 employed in the County of Los Angeles, State of California. My business address is 808 Wilshire  
Boulevard, 3rd Floor, Santa Monica, CA 90401.

**5** On June 17, 2014, I served true copies of the following document(s) described as:

**DEFENDANT NEILL BLOMKAMP'S RESPONSE TO PLAINTIFF'S  
FIRST SET OF INTERROGATORIES**

on the interested parties in this action as follows:

Steve Wilson Briggs 681 Edna Way San Mateo, CA 94402 Tele.: 510.200.3763 Email: <a href="mailto:snc.steve@gmail.com">snc.steve@gmail.com</a>	<i>Plaintiff Pro Se</i>
----------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------

- 12  **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the  
13 persons at the address listed above and placed the envelope for collection and mailing, following  
14 our ordinary business practices. I am readily familiar with Kinsella Weitzman Iser Kump &  
15 Aldisert's practice for collecting and processing correspondence for mailing. On the same day that  
16 the correspondence is placed for collection and mailing, it is deposited in the ordinary course of  
17 business with the U.S. Postal Service, in a sealed envelope with postage fully prepaid.  
18

19  **BY OVERNIGHT DELIVERY:** I enclosed said document(s) in an envelope or package  
20 provided by the overnight service carrier and addressed to the person at the address above. I  
21 placed the envelope or package for collection and overnight delivery at an office or a regularly  
utilized drop box of the overnight service carrier or delivered such document(s) to a courier or  
driver authorized by the overnight service carrier to receive documents.

22

23  **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused the document(s) to be sent  
24 from e-mail address [bdipalma@kwikalaw.com](mailto:bdipalma@kwikalaw.com) to the persons at the e-mail addresses listed in the  
25 Service List. I did not receive, within a reasonable time after the transmission, any electronic  
message or other indication that the transmission was unsuccessful.

26

27  **BY HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the office of  
the addressee(s).

22 I declare under penalty of perjury under the laws of the United States of America that the  
23 foregoing is true and correct and that I am employed in the office of a member of the bar of this  
Court at whose direction the service was made.

Executed on June 17, 2014, at Santa Monica, California.

  
Barbara DiPalma

# **Exhibit**

# **DD**

[Cars](#) [Auto Financing](#) [Event Tickets](#) [Jobs](#) [Real Estate](#) [Online Degrees](#) [Shopping](#)

Search

[How do I find it?](#)

[Subscribe to paper](#)



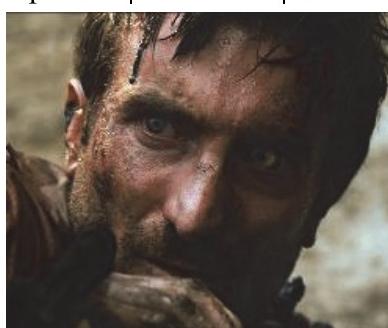
[Home](#)  
[News](#)  
[Travel](#)  
[Money](#)  
[Sports](#)  
[Life](#)  
[Tech](#)  
[Weather](#)

- [Life »](#)
- [Movies](#)
- [Box Office Report](#)
- [Movie Listings](#)
- [Awards Central](#)
- [Shop for Movies/DVDs](#)

After 'District 9,' acting is no longer alien to Sharlto Copley

Updated | Comment | Recommend

[E-mail](#) | [Print](#)



[Enlarge](#) TriStar Pictures

A home shoot: *District 9* is set in Johannesburg, the largest city in Copley's native South Africa. But depending on his career, "I would be open to moving to the United States," Copley says.



[Enlarge](#) TriStar Pictures

By Claudia Puig, USA TODAY

Nothing about Sharlto Copley suggests he'd emerge as an action hero.

He has an Everyman look and an affable personality. He once held a gun on someone in real life, but only to defend his girlfriend, who was being robbed. The couple, who have been together for 10 years, have two cats. He has been a "behind-the-scenes" guy, directing and producing short films and videos in his native South Africa. Until this year, he had never acted in a feature film.

**REVIEW:** [Heart-pumping 'District 9' is sci-fi at its finest](#)

**TRAILER:** [Watch Sharlto Copley in action](#)

But in *District 9*, Copley plays nerdy bureaucrat Wikus van de Merwe, who tangles with aliens, escapes grisly biomedical experimentation, wields heavy ammo and taps into deep reserves of angst. As he fights a huge corporation and the South African government, he teams up with one of the crustacean/hominid aliens.

"My agents said: 'Dude, you couldn't have asked for a better first role. You get to be

**USA TODAY Entertainment E-mail Newsletters**

[Sign up to get:](#)

- Daily celebrity news and gossip
- Photos
- Pop culture hidden gems
- Latest on new music releases and more



[Sign Up Now](#)

Stuck in the middle: Wikus (Sharlto Copley) starts on the government's side, but after his DNA is contaminated and becomes wanted, he teams up with an alien.

has grossed an estimated \$90.8 million in a little more than two weeks.

Told in faux documentary style, it follows the story of aliens who have landed in Johannesburg and are segregated in slumlike internment camps. Wikus is an officious middle manager charged with moving the aliens to another camp farther from the city. But he is contaminated by an alien substance that changes his DNA, and he becomes a wanted man.

The film's locations in Johannesburg, with its volatile history of apartheid, ground the story and Copley's understanding of Wikus' inner turbulence.

"I have known (writer-director [Neill Blomkamp](#)) since he was 14 and I was 20," he says.

"I have always regarded him as the next [James Cameron](#). But I didn't think this success would come with a movie that is so South African. As the film was coming together, we were feeling confident. But it's one thing to feel confident that you like something, and it's another thing when the world is watching."

Wikus was crafted through improvisation, Copley says. "We sort of accidentally found the character," he explains. "He was developed through a short test, an experimental piece, really. He was born on camera."

Copley has long had an interest in assuming roles. "I've always watched how people put on skin. We all put on characters based on where we come from, what we believe in, how we've been raised. We put on selected human traits in varying degrees. But this character was about shedding his skin, shedding those traits so that the bare essence of what it is to be a human being is left.

"You'll get closer to who you are when you're about to die, and that's what happens to Wikus. He wants to go back to what he was and hold on to his safe little world, but he's forced to be who he is. On the surface of it, people just think, 'He's a geek, then he's an action hero.' But they relate subconsciously."

That a starring role has found him at age 35 elicits a calm appreciation.

"It would be a completely different situation for me if I were 20 or 25," he says. "I've done a lot of things in my life: in business, in my personal life, in living in South Africa. I've been exposed to violence. I think as a person I have a certain type of grounding."

Though he'll keep writing and directing — "It's in my DNA," he explains — Copley is ready to focus on acting for a while and go wherever the next good role beckons.

the comedy guy, you get to be the guy holding the gun, and you get to be the dramatic guy,' " Copley says.

The low-budget film, produced by Oscar winner [Peter Jackson](#) of *Lord of the Rings* fame, has definitely found its audience. It

"I'll always be a South African. It's formed me," Copley says. "But I would be open to moving to the United States. I'll adjust to the idea of being nomadic for a while. The films I'm interested in are being shot all over the world."

[Mixx](#)

Posted

Updated

[E-mail](#) | [Print](#) |

To report corrections and clarifications, contact Reader Editor [Brent Jones](#).

For publication consideration in the newspaper, send comments to

[letters@usatoday.com](mailto:letters@usatoday.com). Include name, phone number, city and state for verification.

To view our corrections, go to [corrections.usatoday.com](#).

Guidelines: You share in the USA TODAY community, so please keep your comments smart and civil. Don't attack other readers personally, and keep your language decent. Use the "Report Abuse" button to make a difference.

[Read more](#).

[Newspaper Home Delivery - Subscribe Today](#)

[Home](#) • [News](#) • [Travel](#) • [Money](#) • [Sports](#) • [Life](#) • [Tech](#) • [Weather](#)

About USATODAY.com: [Site Map](#) | [FAQ](#) | [Contact Us](#) | [Jobs with Us](#) | [Terms of Service](#)

[Privacy Policy](#)/[Your California Privacy Right](#) | [Advertise](#) | [Press Room](#) | [Developer](#) | [Media Lounge](#) | [Reprints and Permissions](#)

News Your Way: [Mobile News](#) | [Email News](#) | [Add USATODAY.com RSS feeds](#) | [Twitter](#) | [Podcasts](#) | [Widgets](#)

Partners: [USA WEEKEND](#) | [Sports Weekly](#) | [Education](#) | [Space.com](#) | [Travel Tips](#)

Copyright 2011 USA TODAY, a division of [Gannett Co. Inc.](#)

# **Exhibit**

# **EE**

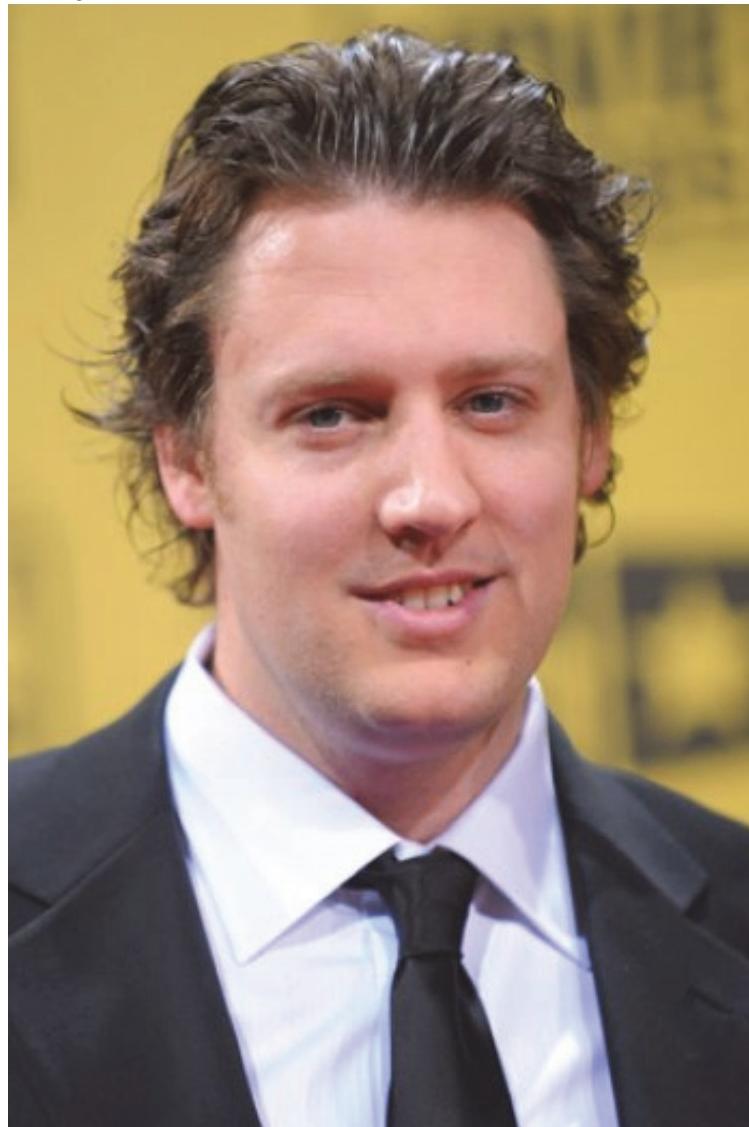
Wonder Woman   Pirates of the Caribbean

---

JANUARY 19, 2011

4:18pm PT by Borys Kit

## Sony Snags 'District 9' Director Neill Blomkamp's 'Elysium'



Jason Merritt/Getty Images for VH1



**Neill Blomkamp** is back in business with Sony.

Sony which released Blomkamp's breakout hit *District 9*, has preemptively picked up *Elysium*, his big-budget follow-up.

**Matt Damon, Jodie Foster** and **Sharlto Copley** are co-starring.

MRC set up meetings with all the major studios today, with Blomkamp unveiling art designs for his future world. But once Sony made strong overtures, MRC canceled the rest of the day's appointments.

Sources are saying Sony is paying the eyebrow-raising (and surely heart-stopping) \$120 million for *Elysium*, although studio insiders denied the figure.

Despite reports, Universal is *not* in talks to co-finance the movie.

Blomkamp's *District 9*, made under the radar by the filmmaker as a response to seeing a screen version of *Halo* go down the tubes, was a surprise hit, grossing \$210.8 million worldwide on a budget of \$35 million. It earned four Oscar noms, including one for best picture.

*Elysium*, which is now under the microscope of a town eager to see a new Blomkamp movie, will



have a much larger budget and will be released in late 2012.

ADVERTISEMENT

**From The Web**

Sponsored Links by Taboola

[Trail Cam Picks Up Image Of Ghost Girl Playing In The Woods](#)

Cyber Breeze

[The Surprising Guest That Johnny Carson Couldn't Stand](#)

Trend Chaser

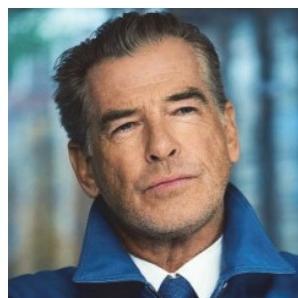
If you're over 25 and own a computer, this game is a must-have

Vikings: Free Online Game

[The Tallest Women in Hollywood](#)

Livinly

**From the Web**



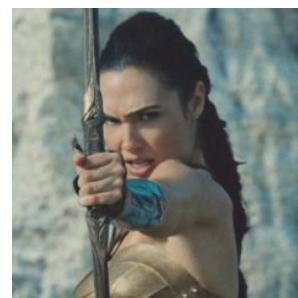
Pierce Brosnan on Losing Wife & Now Daughter to Ovarian Cancer

Foxnews.com



Why Mantis From 'Guardians of the Galaxy Vol. 2' Looks Familiar

IMDb.com



The 'Wonder Woman' Photos You Need to See

IMDb.com



Why Summer C 'Baywatch' Look Familiar

IMDb.com

SHOW COMMENTS

# **Exhibit**

# **FF**

# DEEP FOCUS REVIEW

[REVIEWS](#)

[THE DEFINITIVES](#)

[CALENDAR](#)

[RE\(FOCUSED\)VIEWS](#)

[ARCHIVE](#)

Search ...



## Elysium: The Art of the Film

By Brian Eggert | August 6, 2013

Every so often, an “art of” book comes along and makes me want to revisit the film itself and watch solely for the designs. Such is the case with a release in which the film’s director, Neill Blomkamp, specifically states he set out to explore the visual aspects of his story more than the sociological implications, a surprising notion considering the picture’s central theme. As we learn in the book, when he originally proposed the film Blomkamp put together 50-60 images he created on his computer and set them against the screenplay, creating a kind of graphic novel for investors and his actors. On the strength of these images—not to mention the strength of his first film, *District 9*—he garnered himself a \$100 million budget and signed stars Matt Damon and Jodie Foster.

Set in the year 2154, the setup involves a space station called “Elysium” that orbits Earth and houses only the privileged who can afford to live there, while below on the planet’s surface is a ravaged Third World

suffering from overpopulation, famine, and disease. An industrial accident leaves lowly factory worker Max (Damon) with just five days to live, and so he embarks on a mission to get passed strict anti-immigration enforcement and be cured in one of Elysium's instant-cure stations. Armed with a hydraulic exoskeleton, Max faces Elysium's ruthless Secretary of Defense (Foster) and her black ops agent Kruger (Sharlto Copley). The resulting film has been widely criticized for its paper thin political commentary, yet praised for Blomkamp's visual style.



*Elysium: The Art of the Film* is a testament to what works about the film. Available now from Titan Books in both a standard and a Limited Edition, the book contains full page images showcasing the level of detail Blomkamp, production designer Phil Ivey, the team at Weta Workshop, and even legendary concept artist Syd Mead (*Aliens*, *Blade Runner*, and *TRON*). Each release contains more than 164 pages of full color concept art, drawings, paintings, movie stills, and informative text by author Mark Salisbury. The Limited Edition features a black slipcase with an image of Elysium on one side and ruined Earth on the other, a signature plate signed by Blomkamp, and a print by Mead.

Inside the book is the story of *Elysium* both on and offscreen. In interviews with the cast and crew, but mostly Blomkamp, Salisbury follows the film from inception to execution, detailing the director's origins for the film's diptych world and how he set out to create it. "Blomkamp's more interested in making a muscular slice of popular cinema than preachy parables," Salisbury writes. We can see this in fascinating detail he incorporates into the Los Angeles favela and its population rich with tattoos, futuristic logos, and policing robots. One of the most charming details from the film is Max's "parole officer"—an automated, prerecorded sentry with no personality resembling a character of the McDonald's variety.

"Essentially I'm making fun of the First World," Blomkamp remarks, which may be why Foster's character seems almost cartoonishly and inexplicably evil—a point that, for me anyway, was a frustrating quality about *Elysium*. And yet, taking the picture as a bloody satire, something more like *Total Recall* than *District 9*, the director's vision becomes clearer. Throughout the book, there's a sense that Blomkamp was simply having fun creating these diametrically opposed worlds and filling them with fascinating details. Every artist's rendering of robots, vehicles, hardware, weaponry, and futurist architecture has an almost cartoonish inspiration which will only help the somewhat disappointed viewer appreciate the film on an entirely different level. In fact, *Elysium: The Art of the Film* may be essential reading to readjust one's expectations of *Elysium* from a *District 9*-level sociological allegory to the living comic book it proves to be.

# **Exhibit**

# **GG**

games



POPULAR Star Wars Quiz Alien: Covenant Ending Best Value Games New Games 2017 Best PS4 Hard Drive

## Jodie Foster reveals details about Neill Blomkamps Elysium

By Joshua Winning April 27, 2011 News

"I don't even own a screenplay"



Jodie Foster has been doing the promotional rounds on *The Beaver* this week, which means the press have been attempting to milk her for details about new sci-fi *Elysium*.

The sophomore feature from *District 9* director Neill Blomkamp, the project is pretty much under lock and key, with only the basic plot (humans vs. aliens) being released.

Foster did, however, confirm that her character is the head of an alien planet: "Yes. I hope I'm allowed to say that. I think I'm allowed to say that. That's pretty vague."

Asked if there was anything else she could reveal about the much-anticipated movie, Foster added: "Those sci-fi movies are all really hush-hush. I don't even own a screenplay."

"They won't even give me a screenplay. I've read it, but they won't give me one to physically keep in my home 'cause they're so worried about everybody."

Finally, Foster revealed that the main reason she signed on to the film was because it was a chance to work with Blomkamp.

"Yes, definitely. He did *District 9*, which I think is as close to a perfect movie as you can get," she enthuses. "It's just an extraordinary film. And, this film has a lot of that social commentary in it, but uses sci-fi to get there. It's great."

*The Beaver* opens 17 June.

#### LATEST



Please stop using these meaningless words in your video game and movie titles: Origins Edition ►

The Final Fantasy 15 May update adds... stinky tofu. I swear I'm not joking. ►

[SEE MORE LATEST ►](#)

#### TOPICS

ELYSIUM    TOTAL FILM

Hey guest, welcome to **GamesRadar+**! Sign up and become a member.



[Facebook](#)

[Google](#)

[Twitter](#)

[Email](#)

# **Exhibit**

# **HH**

Advertisement



## NEILL BLOMKAMP'S ALIEN 5 CONCEPT ART HAS STOLEN OUR HEARTS



POSTED BY ERIC DIAZ ON JANUARY 2, 2015

SHARE:

---

FILMS

---

Did you know that 20th Century Fox was working on a fifth installment of the *Alien* franchise? Nope, I don't mean a sequel to *Prometheus* or another *Aliens Vs. Predator*, a mean a proper *Alien 5*, with Sigourney Weaver returning as Ellen Ripley, presumably fighting off xenomorphs again. Well, it seems that neither did they, but as recently as March of last year, director Neill Blomkamp (*District 9*, *Elysium*) was working on a new *Alien* film, possibly to pitch to the studio, as he just posted a ton of concept art for the movie via his [Instagram account](#).



There are interesting ideas in these images, like Ripley wearing some kind of xenomorph style helmet, the derelict ship from Ridley Scott's original film being dissected in some kind of hangar bay, and Hicks, Michael Biehn's character from *Aliens*, alive and well. Does this mean Blomkamp's proposed movie was looking to just ignore *Alien 3* and *Alien: Resurrection*? Considering both of those films' reputations with fans, I doubt if many folks would mind if both of those films end up just being nightmares Ripley had while in cryo-sleep.

So what makes anyone think this *Alien* film will turn out any better than the last two? Well, for a few years Fox had a bad reputation of being a micro-managing studio, one that simply didn't know how to handle their biggest franchises properly. It was during this era that we got the last two lackluster *Alien* films, Tim Burton's lame attempt at a *Planet of the Apes* reboot, and *X-Men: The Last Stand/X-Men: Origins Wolverine*.

However, due to regime changes at the studio over the last few years, Fox has made a pretty big turnaround. *X-Men: First Class* and *Rise of the Planet of the Apes* were terrific films that gave those two franchise a creative shot in the arm, which resulted in last year's equally excellent *X-Men: Days of Future Past* and *Dawn of the Planet of the Apes*. Can Fox do the same creative turnaround with the *Alien* series? Outside of the *X-Men* and *Apes* movies, the *Alien* films are among Fox' most well known and profitable sci-fi franchises. It's not an IP they're going to let lay dormant forever, and there are worse choices to give it a proper revival than Neill Blomkamp.

# **Exhibit**

## **II**



## Screen Rant

You Are Reading: **Sigourney Weaver & James Cameron Praise Neill Blomkamp's Alien Sequel**

- [Share On Facebook](#)
- [Comments \(34\)](#)
- [Next](#)

Follow Us

- 
- 
- 
- 
- 
- 

[Like 1.2M](#)

Follow @screenrant  95.1K followers

- [SR EXCLUSIVES](#)
- [MOVIE NEWS](#)
- [TV NEWS](#)
- [REVIEWS](#)
- [VIDEOS](#)
- [LISTS](#)
- +
  - [QUIZZES](#)
  - [TRAILERS](#)
  - [PODCASTS](#)
  - [TOP MOVIES](#)
  - [Comics](#)
  - [Gaming](#)

536 Shares [ShareOn Facebook](#)

Like 1.8M

[Tweet](#) [Share](#) [Email](#) [Share](#) [Share](#) [Pin It](#) [Share](#) [Comment](#) [...](#)

## Sigourney Weaver & James Cameron Praise Neill Blomkamp's Alien Sequel

- By [Daniel Ricwulf](#)
- 07.23.2016
- [34 Comments](#)



536 Shares [ShareOn Facebook](#)

Like 1.8M

[Tweet](#) [Share](#) [Email](#) [Share](#) [Share](#) [Pin It](#) [Share](#) [Comment](#) [...](#) [...](#)

Director Neill Blomkamp's (*District 9*, *Chappie*) proposed *Alien* sequel may be one of the biggest will they/won't they teases in fandom right now. *Alien 3* decisively ended the journey of Nostromo survivor and xenomorph-slayer Lieutenant Ripley.

*Alien: Resurrection* managed to somehow continue that journey, postmortem.

Blomkamp's proposal will wipe out the timeline of those less-appreciated entries, picking up right after James Cameron's *Aliens*.

The story would see Sigourney Weaver's 'Ripley' return to Earth alongside her fellow survivors, the young girl 'Newt' and Corporal Hicks (Michael Biehn). The project was originally in active development by 20th Century Fox, only to be put on hold for original *Alien* director Ridley Scott's own franchise sequel: *Alien: Covenant*. But the movie's star is still talking up Blomkamp's ideas.

After rumors swirled that Scott's pseudo-prequel *Prometheus* was the reason for the delay, expected to tie that movie's story to the core series before adding a new chapter.

Weaver eventually confirmed as much: personally, explaining that Fox had delayed production – which “*was too bad because we would have already done it by now.*”

At San Diego Comic-Con 2016, Weaver spoke about her future in the franchise on the panel for *Aliens*' 30th anniversary:

*“There is an incredible script by Neill. I didn’t want to do a fifth one. I thought going to earth wouldn’t be fun. I got this script that was amazing and gives fans everything they’re looking for and innovates in ways that became part of the world for me. He has things to do and I have things to do. And I hope that we’ll circle back around to do it once those things are done.”*

---

Director James Cameron (*Avatar*) then went on to throw in his two cents, saying that Blomkamp's is “*a very strong script*” and “*works gangbusters*.” Continuing on, he stated:

*“I thought it was dumb [that Hicks and Newt were killed off]. I thought it was a huge slap in the face to the fans. I mean look, [David] Fincher’s a friend of mine, and David is an amazing, amazing filmmaker, unquestionably. That was kind of his first big gig, and he was getting vectored around by the studio, and he dropped into the production late and they had a horrible script and they were rewriting it on the fly, and it was just a mess. I think it was a big mistake. So I certainly — had [producer Gale Anne Hurd and I] been involved, we would not have done that because we felt we earned something with the audience with those characters.”*





Considering how much Blomkamp's films have borrowed from the style of *Aliens*, he seems like an obvious choice for a follow-up to that series (though some fans have been concerned about the diminishing returns of his filmography, not to mention the rewriting of the series timeline). While the second half of the *Alien* anthology is decidedly less popular, "erasing" their legacy strikes some as sacrilege. It's one thing to retell or reboot a story for a new generation, but using the same cast to "undo" two whole chapters is a bit too far for some. Then again, Weaver and Cameron seem to be excited about the opportunity the film brings, so maybe that's enough to keep an open mind.

Are you looking forward to Blomkamp's possible rewrite of *Alien* history, or is it better this film never sees the light of day? Let us know your thoughts in the comments section and stay tuned to Screen Rant for updates on the *Alien* series as they hit.

*Alien: Covenant* opens in U.S. theaters on August 4th, 2017. We'll continue to keep you updated on Neill Blomkamp's **untitled *Alien* sequel**.

# **Exhibit**

## **JJ**

WHA  
LOOI  
WAR
[HOME](#) | [LONGFORM](#) | [MOVIE NEWS](#) | [TV NEWS](#) | [MOVIE REVIEWS](#) | [MOVIE TRAILERS](#)


# RIDLEY SCOTT CLAIMS NEILL BLOMKAMP'S 'ALIEN 5' NEVER EVEN HAD A SCRIPT

MATTHEW MONAGLE | 25 Days Ago

Neill Blomkamp



SHARE ON



SHARE ON

TWITTER

FACEBOOK

In hindsight, it seems kind of odd that we had two directors competing to make movies in the same franchise. Back in 2015, director Neill Blomkamp sort of bull-rushed Hollywood by releasing concept art from the *Alien 5* sequel he had been working on for 20th Century Fox. This was despite the fact that Ridley Scott had already made *Prometheus* – a direct prequel to the events of the *Alien* universe – and was working on what would later become *Alien: Covenant*. After months of rumors and Blomkamp's promise to bring back a few beloved characters, the project petered out, and Scott emerged the sole proprietor of the *Alien* franchise.

And with *Alien: Covenant* set to hit theaters this summer, Scott is going pretty hard on his feelings about Blomkamp's

project. In an interview with French publication *Allocine* (via ScreenRant and Heroic Hollywood), Scott claimed that Blomkamp's film never even had a script to go along with its cool concept art:

“ I don’t think it will ever see the light of day. There was never a script. Just an idea that evolved from a dozen or so pages. I had to participate as producer, but it didn’t go farther because Fox decided it didn’t want to do it. As far I was concerned, I had already done *Prometheus* and I was working on *Covenant*. ”

Of course, that’s not what James Cameron – the other director to make an icon *Alien* movie – had to say about a possible *Alien 5* script. Back in 2016, Cameron claimed that Blomkamp had given him a copy of the script, even going so far as to say that it was “a very strong script, and he can go

WHA  
LOOI  
WAR

GE

En

THE L

make it tomorrow." Cameron was even backed up by Sigourney Weaver, who spoke in-depth on several occasions about Blomkamp's "great" script. We seem to find ourselves in a bit of a "he said, she *and* he said" situation here.

All of which means one of two things: either Scott is right, and Cameron and Weaver were both a little too exuberant in describing Blomkamp's output as a "script," or Cameron and Weaver are right, and Scott is throwing some colossal shade on a filmmaker who he feels was encroaching on his territory. Or maybe they're all correct, and Blomkamp was very Machiavellian about what materials he showed and to whom? We've officially reached the point where I'd rather see a movie about the non-making of *Alien 5* than the film itself, because it sounds like more drama than any number of space monsters could provide.



Subscribe to ScreenCrush on [YouTube](#)

WHA  
LOOI  
WAR

GE

En

THE L

# **Exhibit KK**

Search

MENU



**'I LIKE TRUMP, SURE'**

## **Sean Hannity Gives Platform to Man Who Claims Hillary Is 'Evil,' Bisexual 'Secret Sex Freak'**

Before interviewing Mike Pence and Kellyanne Conway on Monday night, the Fox News personality had an 'EXCLUSIVE' interview with Jeff Rovin, a man with a shocking 'secret.'

BETSY WOODRUFF, ASAWIN SUEBSAENG 10.25.16 1:00 AM ET





On Monday night, unpaid Donald Trump adviser and current Fox News host Sean Hannity broadcasted his “EXCLUSIVE” interview with Jeff Rovin, novelist and self-identified “fixer” for Hillary and Bill Clinton. Rovin first told his story to supermarket tabloid the *National Enquirer* last week, opening up about his alleged past as a Clinton ally who would help the powerful couple manipulate the press and (also!) set up secret, extramarital sexual liaisons.

Hannity emphasized that Fox News could not “independently verify” Rovin’s story. He also noted that the Clinton presidential campaign—“shockingly”—did not respond to his team’s multiple requests seeking comment.

ADVERTISEMENT

[Learn more](#)



"I was fixing [for the Clintons], I really don't like that term, but there it is," Rovin told Hannity. "I was fixing something for an actor who was in their inner circle."

Hannity proceeded to gently and credulously ask Rovin about his explosive claims about working to kill negative Clinton stories in the press, and about the Clintons' "open marriage" and how he'd "help them hide their scandals."

Rovin, who said he wanted to appear on Hannity's program to offer a "less hyperbolic" version of the *Enquirer* cover story, was awfully cagey for someone who was outing himself as a notorious Clinton "fixer." He did assert that it was an "open secret" among his fellow Clintonite cohorts that Hillary Clinton had a romantic relationship with Vince Foster, the former White House aide who committed suicide and has since become a fascination of Clinton conspiracy theorists. Rovin said he'd been at the Clinton White House "twice." He discussed how "the world is upside down [and] we have to set it right, again."

He apparently identifies as a libertarian, who is ABSOLUTELY NOT doing this to help the Trump campaign. When pressed by Hannity on who he'd be voting for in November, Rovin demurred but conceded, "I like Trump, sure."

...OK, there's a lot to unpack here.

First, the *Enquirer* "bombshell," of which Rovin was the star subject, is a "WORLD EXCLUSIVE 9-PAGE SPECIAL INVESTIGATION." The story breathlessly details how the former secretary of State and first lady is a sex-crazed, "evil," "polyamorous," bisexual (or at least bi-curious), and "ruthless power-hungry" supervillain, one prolific in the dark arts of criminal conspiracy and character assassination aimed at Bill's "bimbos."

The *Enquirer* article is jam-packed with clandestine sex romps, mysterious death, prostitutes, "LIES AND SPIES," and a woman (now the Democratic presidential nominee!) hell-bent on manipulating her sex-crazed self all the way to becoming leader of the free world.

Rovin—who was interviewed anonymously by the *Enquirer* and labeled Hillary's "BAGMAN"—spilled his guts to the tabloid about the Clintons' alleged sex-hypocrisy, detailing an "endless string of sexual stories arising from what effectively was the Clintons' open, polyamorous marriage."

“[Her fixer] arranged a lesbian romp for bisexual Hillary with a prominent Hollywood identity!” the *Enquirer* reported. “[He] squealed about a lusty rendezvous he arranged for Hillary that FINALLY proves the lesbian rumors that have dogged her for decades!”

“I arranged a meeting for Hillary and a woman in an exclusive Beverly Hills hotel,” he told the publication. “From the moment the Clintons found their feet in Los Angeles and began to meet the stars, they became addicted to power... It’s ironic their own scandalous truths are worthy of a movie script!”

[Get The Beast In Your Inbox!](#)  
Enter your email address

## Daily Digest

Start and finish your day with the top stories from The Daily Beast.



## Cheat Sheet

A speedy, smart summary of all the news you need to know (and nothing you don't).



By clicking “Subscribe,” you agree to have read the Terms of Use and

[SUBSCRIBE](#)

You can Unsubscribe for the Daily Digest and Cheat Sheet. We will not share Compelling stuff.

Rumors that Hillary is a lesbian murderer—or that Bill is a cocaine-addled deviant—have proliferated in fringe corners of the internet and right-wing circles for ages. Authors Robert Morrow, Edward Klein, and Trump’s longtime adviser and political ally Roger Stone have written books making outlandish claims about supposed Clinton drug habits, sexual preferences, and bloody, bloody history. (Trump himself suggested this month that Hillary was screwing around on former president Bill.)

Rovin has had a decently impressive career as a fiction writer. He has co-authored sci-fi novels with William Shatner and *X-Files* star Gillian Anderson. He took over Tom Clancy’s *Op-Center* novel series after the author died in 2013. And his Penguin Random House author page notes he is “a student of the martial arts”—much like Hannity himself.

Jeff Rovin also edited the *Weekly World News* tabloid for a time. As *The Atlantic* has noted, the publication “highlighted tabloid journalism’s thin line between fiction and nonfiction,” until its print edition folded in 2007. The tabloid pushed self-consciously outlandish stories,

like the classic “BAT CHILD ESCAPES!” It also had its fair share of Hillary Clinton-related tall tales.

“BILL CATCHES HILLARY WITH SPACE ALIEN!” blared one headline.

“HILLARY ADOPTS ALIEN BABY,” read a 1993 cover.

When Rovin started editing the publication, he stressed the importance of its coverage of space aliens.

“National, international, and even interplanetary events are being suppressed,” he wrote in an editor’s note on May 2, 2005. “Newspapers, television, and the internet are feeding us what dolphins call ‘meep... meepahh... marp’—Literally, lies as deep as the ocean.”

“When the government tries to cover up visits from space aliens and time travelers, we’ll be there,” Rovin continued. “(*Weekly World News* will even tell you what investments, if any, people from the future are making in the stock market. You won’t find that in *Forbes!*)”

The Trump campaign did not respond to The Daily Beast’s request for comment on whether Republican nominee sees any merit in this *Enquirer* story on his Democratic rival. However, the *Enquirer* (a Trump-endorsing tabloid long famous for printing unsubstantiated gossip and stories about space aliens and the Illuminati) and Hannity have become two of Trump’s most reliable allies in the media during this election—and sometimes in concert.

Hannity, for his part, has gone full-on conspiracy theorist during this presidential election, during which he has been doing everything in his power—including starring in an official Trump campaign ad—to get Trump elected president.

Earlier this year, when the *Enquirer* ran a baseless story suggesting that Ted Cruz’s dad, Rafael, was in New Orleans passing out pro-Castro pamphlets with Lee Harvey Oswald, President John F. Kennedy’s assassin, Trump widely promoted the “news,” and got his allies in the mainstream media, including Hannity, to help him in the effort.

When Trump went on Hannity’s radio show in May, the host allowed Trump to give more oxygen to the *Enquirer*’s supposed JFK-Cruz scoop.

At the time, when asked by The Daily Beast if Hannity would comment further—and if he felt not pushing back bolstered criticism that he is too deferential to the GOP nominee—the host

emailed back: "I was saying that photo was not verified."

Asked if he believed the *Enquirer* is a reliable source, Hannity said, "If [you] want to interview me, contact Fox PR." Hannity later emailed The Daily Beast, "So is the picture authentic or not? You don't have a clue either. Lol."

(Well, we do have a clue: Rafael Cruz did not play a role in JFK's death, but Hannity and the *Enquirer* did their thing, regardless.)

And now Hannity is back at it again, elevating *National Enquirer* content, all in the service of targeting the Clintons and talking up Trump on national TV.

Hannity would not comment on the record for this story. Fox News public relations did not respond to emails seeking comment. The Clinton campaign similarly did not respond to The Daily Beast's requests for comment, so ***WHAT ARE THEY HIDING???***

Following the Rovin interview on Monday's episode of *Hannity*, the Fox News personality interviewed Trump running mate Mike Pence and Team Trump campaign manager Kellyanne Conway, two highly respected figures within the Republican Party who spent their Monday-night airtime talking about how great Trump is. Neither uttered one word about Rovin, the *Enquirer*'s story, or Hillary Clinton's alleged past as a villainous sex freak.

Why would they, when they have a supermarket tabloid and Fox News to do their work for them?

## Sponsored Stories

Recommended by



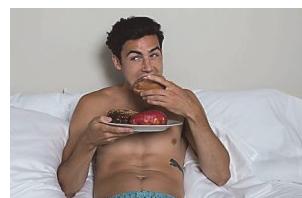
**Work or Family? Uber Drivers Don't Have to Choose: Sign Up to...**

UBER



**Driving for Uber Helped This Woman Love Her City: Sign Up Today**

UBER



**The Absolute Best Sheets You Will Ever Find. Period.**

BUSINESS INSIDER



**The verdict is in: Amazon Channels may be a better value than...**

BUSINESS INSIDER

from his regime. Certainly the president's tax proposals have been tailored to appeal to his billionaire friends more than the middle class. His health care reforms failed to prioritize those who feel threatened by loss of coverage, however much they gripe about the inanities of Obamacare.

Meanwhile promises that could help middle-America, like a massive infrastructure program, appear to be roadkill squashed beneath Trump's staggering ineptitude and his Republican Party's dysfunction.

There is no chance he will succeed in convincing voters he's making America great again, let alone in actually doing so, if he cannot address the reasons why companies desert our towns and cities for all but elite functions, leaving so much of America in tatters.

### **A Failed Peasant's Revolt**

In its incoherence and lack of organization, Trump's victory less resembled a modern social movement than a peasant's revolt from the Middle Ages. His campaign lacked a coherent program, although its messenger, a New York narcissist, possessed a sixth sense that people "out there" were angry. Trump's message was negative largely because he had nothing positive to say, though that had the useful effect of driving his enemies slightly insane.

So while he's succeeded in stirring the blue hornet's nest, he's created no productive movement. Successful social movements—the Jacksonians, the New Dealers, the Reaganites, and the European social democrats—directly appealed to the working class with policies that for better or worse, challenged the existing social and economic hierarchy.

Trump, like Jackson, identified with the plight of the "left behind" America, notably rural areas and small towns that have seen their business communities shrink, while larger metropolitan areas have grown much faster. The new economic order, evident throughout the Obama era, represents what urban analyst Aaron Ren describes as "the decoupling of success in America. Those who are succeeding in America no longer need the overall prosperity of the country to personally do well. They can become enriched as a small, albeit sizable, minority."

Trump brilliantly played off this geographic and class segmentation. But unlike others who successfully played populist themes, Trump did not emerge from and understand the

mindset of those further down the social order, as did Jackson, Lincoln, Truman, Reagan, Nixon, and Bill Clinton. Trump simply stoked resentments, many but not all well-justified.

**Get The Beast In Your Inbox!**  
Enter your email address

## Daily Digest

Start and finish your day with the top stories from The Daily Beast.



## Cheat Sheet

A speedy, smart summary of all the news you need to know (and nothing you don't).



By signing up, you agree to have read the Terms of Use and

[SUBSCRIBE](#)

**You are now subscribed for the Daily Digest and Cheat Sheet. We will not share**  
Trump has taken few concrete steps to address the causes of his supporters' distress.

Changes in trade negotiations and jawboning corporations are good first steps but limited in their effect. There is little in what he's proposed since January that would help the middle and working class. Unlike Reagan, who cut rates across the board, Trump seems to be listening mostly to the Goldman Sachs grandees to whom he has entrusted our economy.

In the end Trump's modern-day peasants will be left stranded like the supporters of European peasant rebellions of the European middle ages, like England's Jack Cade in the 15th century, or the Taiping rebels in mid-19th century China. These movements grew bright, stormed across the countryside, and conquered cities, until the forces of order imposed themselves and eliminated the most rebellious of their subjects. Hong Xiuquan, the leader of the Taiping, committed suicide in 1864, as the 14-year rebellion failed. Cade, of course, was killed, as recounted in Shakespeare's Henry the 6th, still proud of his "unconquered soul" but nevertheless despised by the ruling classes.

## The Revenge of the Clerisy

Trump, of course, won't end up executed, but simply excommunicated from polite society. He will creep back to his Manhattan keep, surrounded by gold and glitter, celebrated by as many retainers as he can afford. The same, however, cannot be said for those who rallied to his cause in the thus-far unrealized hopes that we could protect them from the cognoscenti's plans to refashion, and largely diminish, ordinary American's daily lives and economic prospects.

Trump's faltering rebellion has been manna from heaven for the same swamp people—in both parties—who have been steering our democratic republic toward feudalism for a generation. Their ideology, notes author Michael Lind, sees themselves as a deserving meritocracy rather than a reflection of the persistence of social class.

In the end, Trump may succeed in doing something that, a few months ago, would have seemed impossible. He has elevated the very people who concocted policies, from “free trade” to open borders to the wars of the Middle East and Obamacare, that alienated millions of Americans. He has woken up the entire apparatus, from the CIA and FBI to the State Department and the EPA, who now send their insider effluence to the remaining journalists who consider bringing down the president as the new crusade.

It is not too much of an exaggeration that the media is now a fundamental part of progressive clerisy. According to the Center for Public Integrity, 96 percent of all media outlet donations went to Hillary Clinton last year. This process has been accelerated by the shift of media to an ever smaller, and ever more blue series of cities. More than half of all journalism jobs are now in cities which Clinton won by over 30 points; in 2008 they had less than a third.

This may explain why celebrating and even being participants in the “deep state resistance”—which would seem to be contrary to traditional liberal views about popular sovereignty—has become a critical part of the media messaging. Yet, particularly after Trump, the clerisy no longer feels it needs to contain its contempt for the population. One does not have to be a Trump supporter to see the long-term dangers to democratic governance from over-empowered civil servants openly contemptuous of voters and the people they vote for.

Over the next few years, Trump’s failure will elevate these “experts” who, in the anti-expert Trump, have found a perfect foil. Every time the president, or his minions, say something stupid (which is often), the talking heads and academics can harrumph about how the country should be run by Ph.D.s and J.D.s who, they feel, should direct rule on the unruly masses from above. To combat them, Trump lacks the eloquence of a Reagan, or the ferocity of a Jackson.

## **Oligarchs Restored**

The notion of “Making America Great Again” had its flaws, but appealed to people who hoped to see middle-class jobs return to the country. It energized the suburbs and small

cities who now find themselves led by an incompetent leader who appears to have used them, like patrons of a casino. Lured by an image of glamour they will find their wallets lightened rather than their spirits lifted.

The big winners long-term as Trump fails to deliver will be the country's emergent tech oligarchy. Allied with the clerisy, and with an expanding, soon to be dominant, role in the media, they will create the conditions and define the future culture. Hollywood and Wall Street will be partners, but the nerds of the Valley will rule the economy.

To be sure automation and digitization brings many benefits, but Silicon Valley firms have secured advantage for reasons beyond being technically adept. Firms like Apple pay little in the way of taxes (thanks as much to Republicans as Democrats), and companies like Google manage to avoid anti-trust action. The rules are different for the oligarchs; they can afford to raise money without making a profit, as was the case of Amazon, Uber, and others. The shop on Main Street, or the store owner in the strip mall, enjoy no such advantage.

It is almost impossible to overestimate the power of these corporations. Apple alone for example has more cash on hand than the total reserves of both the United Kingdom and Canada. Four of the world's richest people come from either the Seattle or Silicon Valley tech community. More important for the future, techno-nerds account for the most of 23 American billionaires under 40; 12 live in San Francisco, the de facto blue capital, alone.

The triumph of the oligarchs may spell the end of America as we have known it. Increasingly the core functions—and the big rewards—are concentrated in fewer hands and in fewer places. The distress being felt in rural areas and second-tier cities has its roots in globalization which, as Chicago sociologist Richard Longworth suggested two decades ago, undermines the industrial and routine business functions while boosting the already fantastic wealth of top echelon of executives, and those who serve them.

To keep the voters and the people they vote for at bay, the oligarchs will make common cause with the social justice warriors (as we saw during the election) and the greens to confine and control the terms of our national conversation as they work to expand and enforce a neo-feudal order.

The hoi polloi? They will get a stipend from the wealth generated by the oligarchs like Mark Zuckerberg. Likely not enough to start a business or own a home, but good enough to stave

off homelessness or starvation. Silicon Valley and its media tools will forge a generation plugged into its phone but that owns little, and spends its limited capital on media, gadgets, and other idle pursuits. Americans will become more like a nature of serfs, their daily bread dependent on the kindness of their betters, their iPhone serving as both the new confessional and ephemeral town square.

This is precisely the America that Trump's supporters sought to prevent, but may soon be stuck with. Not because the middle and working class has failed, but because Trump, due to his dysfunctional ways and inborn class biases, has betrayed the very people who put him in office.

Politics	Entertainment	World News	Drink and Food	Arts and Culture	U.S. News	Tech				
About	Advertise	Contact	Jobs	Help	Privacy	Code of Ethics	Terms & Standards	Copyright & Conditions	Sitemap	Trademark

© 2017 The Daily Beast Company LLC

# **Exhibit**

# **LL**

# WORL D EXCLUSIVE! Confess is Of A Clinton Bagman — In His Own Words

SHARE

'Why I'm coming forward now!'



By National ENQUIRER Staff

Oct 19, 2016 @ 7:54AM



reporter for several national magazines and newspapers. Because of my go  
became  
stories o  
Hollywood  
lationship with stars, publicists and the press I  
er": someone who helps stars keep embarrassing  
he press. I helped keep secrets safe for some of  
ading men.

In 1991, r  
of a fast **SHARE** reputation was such that I was asked to work on behalf figure on the national stage: Arkansas Gov. William Jefferson Clinton. I attended a meeting in Hollywood where I was told by an intermediary: "There will be a lot of stories coming out in the tabloid press. We want them buried."

I was informed that these stories would involve rumors of **Bill Clinton**'s many sexual dalliances and an alleged ongoing affair of **Hillary Clinton** with a male member of her law firm, Vince Foster, as well as a female mover-and-shaker in Hollywood.

#### Trending Articles

**NATIONAL**

**ELLEN DEGERERES TURNS PORTIA DE ROSSI INTO HER MINI-ME**

Visit the post for more.



**Ellen DeGeneres Turns Portia De Rossi Into Her Mini-Me**

## Clinton's Smear Campaign

For a ret of \$4,000 a month — paid by a third party, not the campaig was told to keep these stories hush-hush in one of two way rading access to the Clintons for “positive” interview by paying the reporters.

The payi SHARE were always cash, usually delivered in a movie theater or restaurant on Sunset Boulevard, and came in two denominations: \$100 for a heads-up that a bad story was coming; or considerably more to kill the piece.

It did not appear that the job would be terribly time-consuming: After all, Hillary reportedly had just one lover, and Bill’s girlfriends were all in the past.

## PHOTOS: Hillary’s Lies EXPOSED! Clinton’s Top 5 Debate Whoppers

Not so. **The sexual dalliances were ongoing** — and so my communications with the West Wing, Air Force One and Camp David continued through 1998 — a stunning length of time when one considers that both the president and the first lady were supposed to be devoting their full energies to the business of the people of the United States!

The gravest example of a Clintonian lack of judgment occurred in March 1994. Presidential brother **Roger Clinton** was marrying his eight-months-pregnant bride Molly. There was a bachelor party.

invoicing Bill Clinton.

Arranger for a meeting between Bill and a 26-year-old  
brunette discussed when the president was to arrive in  
Dallas for ceremony.

**PHOTOS Hillary Leak Exposes Hillary's Sick Obsession With Anthony** SHARE **or Sexting Scandal**

The tape recording was offered, for sale, to *The National ENQUIRER*. Before the publication and its then-editor could publish a transcript, I swooped in and negotiated for the White House to give this paper **exclusive access to the ceremony** itself. Not even *The Washington Post* or *The New York Times* had that. *The ENQUIRER* was given leave to publish exclusive White House photographs.

At the reception, while Bill Clinton sang with the piano player, Hillary was introduced to *The ENQUIRER* reporter. Her expression fierce, voice tight, she took and tightly held the reporter's hand and demanded, "Are we done now?" The reporter replied, "Madam First Lady, with this incident, yes."

Of course, we were not done. This was one of many in **an endless string of sexual stories** arising from what effectively was the Clintons' open, polyamorous marriage.

**PHOTOS: Leaked Emails Detail Hillary Clinton's Desperate Health Crisis Cover-Ups**

Clinton had become an elder statesman with heart trouble and Hillary C seemed to be focused, at last, on the business of doing he – for better or for worse.

I am con orward now because of the endless attention the alleged i etions of Donald Trump have received. Nothing I have hea mes close to the sexual and moral corruption of the Clintons **SHARE** ny of which have yet to be revealed.

Predictably, the liberal media is focusing on one man's alleged misdeeds and **ignoring another's proven sins.**

## **PHOTOS: Always On Call — Hillary Clinton Exposed As Demanding Boss From Hell!**

I mention some of these here and now because we have only two serious candidates for the presidency. In the few weeks remaining until the election, we should not be weighing whose corruption is worse (the Clintons win by a landslide, if all were to be told), but who has the best ideas and leadership skills to become president of the United States.

---

Bill Clinton    Hillary Clinton

---

## **COMMENTS**

# **Exhibit**

# **MM**

1 Steve Wilson Briggs  
2 681 Edna Way  
3 San Mateo, CA 94402  
Telephone: (510) 200 3763  
Email: snc.steve@gmail.com

ORIGINAL  
FILED

JUN 12 2014

5 RICHARD W. WICKING  
6 CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

7

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA (OAKLAND)

10 STEVE WILSON BRIGGS

CASE NO: CV 13 4679 PJH  
Judge: Honorable Phyllis J. Hamilton

11 Plaintiff

12 vs.

13 NEILL BOMKAMP, SONY PICTURES ENT., INC.,  
TRISTAR PICTURES, INC., MEDIA RIGHTS  
14 CAPITAL II,L.P., and QED INTERNATIONAL

15 Defendants

16

17

18 NOTICE OF MOTION AND MOTION  
TO DISQUALIFY EXPERT REPORT OF  
JEFF ROVIN; MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
SUPPORT THEREOF

Date: July 23<sup>rd</sup>, 2014  
Time: 9:00 a.m.  
Courtroom: 3  
Judge: Hon. Phyllis J. Hamilton

**PLAINTIFF'S MOTION TO DISQUALIFY EXPERT REPORT OF JEFF ROVIN**

19 PLEASE TAKE NOTICE on July 23<sup>rd</sup>, 2014, or as soon thereafter as the matter may  
20 be heard, Plaintiff, Steve Wilson Briggs, moves this Court for action in the courtroom of the  
21 Honorable Phyllis J. Hamilton, Oakland Courthouse, 3rd Floor, 1301 Clay Street, Oakland, CA.

22 SCHEDULING NOTE: Plaintiff will be out-of-state for his son's HS graduation 6/18/14 to 6/28/14.

23 Statement of Purpose. This motion will be based on the Memorandum Of Points And  
24 Authorities, and the Proposed Order filed herewith, moving the Court to Disqualify the Defendants'  
25 expert witness, Jeff Rovin, and his report (Expert Report Of Jeff Rovin). The Court has this  
26 remedial authority under F.R.C.P. Rule 11, and the Inherent Powers Doctrine. Plaintiff seeks this  
27 intervention due to:

- 28 1) Unconscionably false and fraudulent statements found in Rovin's report, which were NOT

provided in good faith. Rather, they were dishonestly provided to serve the Defendants. Rovin's shameless dishonesty includes altering the works of, misquoting and distorting other authors –even falsely referencing his own work. Plaintiff believes the first cited example of Fraud On the Court (page 3, under heading “Example I”) should be grounds for witness disqualification alone, as the act amounts to Mr. Rovin fabricating evidence purporting to substantiate his claims against Plaintiff's.

- 2) Rovin's report is entirely premised on 9 false citations and fragmentations of Plaintiff copyright claims (“fragmentations” meaning: extractions of small portions of the much larger, complex collection of ideas Plaintiff presented in his Amended Complaint claims).

10 **NOTE 1: The copyrightability of detailed plots is established and upheld by cases such as: Sheldon v. Metro-Goldwyn Pictures Corp., 81 F.2d 49 (2d Cir. 1936); Nichols v. Universal Pictures; 45 F.2d 119 (2d Cir.1930), cert denied 282 U.S. 902 (1931); Metcalf v. Bochco, 294 F.3d 1069; Atari Games Corp. v. Oman, 979 F. (2d) 242 (Cir DC 1992)**

11 **NOTE 2: Ideas are not copyrightable. However, collections of ideas: plot, settings, themes, etc., are. Thus, the idea of a “robot” is not copyrightable –but a gold-plated, man-shaped robot with a British accent is copyrightable (George Lucas's C3PO). By combining ideas unique expressions are born. In his Amended Complaint, Plaintiff showed collections of ideas, events, settings, themes, etc., as his copyright. Rovin dismantled Plaintiff's claims into non-copyrightable fragments**

- 16 3) Mr. Rovin provided false statements and false citations of other works throughout his report.
- 17 4) Mr. Rovin is NOT a copyright expert, and is unqualified to opine as such.
- 18 5) Mr. Rovin misstated and inflated his qualifications, and is undereducated as an “expert”.

#### MEMORANDUM OF POINTS AND AUTHORITIES

20 This motion to disqualify the Expert Report Of Jeff Rovin (and the expert” himself) is based  
21 on facts and evidence that in his report, Mr. Rovin: 1) engaged in extreme and persistent dishonesty  
22 to the Court; 2) altered, fragmented and mischaracterized Plaintiff's copyright claims; 3) provided  
23 very false, unreliable citations; 4) Mr. Rovin is not a copyright expert; 5) Mr. Rovin inflated his  
24 qualifications and is undereducated; 6) his lack of copyright qualifications led him to many ill-  
25 informed claims (particularly those concerning scènes à faire).

#### FRAUDULENT, DISHONEST AND INACCURATE CONTENT OF ROVIN REPORT

27 What follows are but a few of Mr. Rovin's many fraudulent statements in his report.

#### EXAMPLE I

1 On page 47, paragraph 1 of his report, Mr. Rovin shamelessly lies to the court as he “quotes”  
 2 Murray Leinster’s *Space Platform*. Rovin writes: “The platform was guarded like no object in  
 3 history had ever been guarded... But the greatest irony of all was that (it's proponents) would in  
 4 time become rich beyond envy.”

5 **IN TRUTH:** this is a shockingly fraudulent statement. In quoting Leinster, Rovin inserts the  
 6 parenthetic phrase “it’s proponents” for a seemingly harmless omission, then continues the  
 7 quotation, as if he’s simply chosen a different pronoun. **But, in fact, Mr. Rovin had removed 42**  
 8 **words and an entire paragraph.**

9 **The 42 words Rovin has removed are 180 degrees the opposite of what Mr. Rovin**  
 10 **suggests, and have nothing to do with any proponents. The actual words Rovin removed read:**  
 11 “...its most probable immediate usefulness would be the help it would give in making nuclear  
 12 experiments that weren’t safe enough to make on Earth. That was the pure irony. Because if those  
 13 experiment were successful, they could mean that everybody in the world...” This is where Rovin  
 14 cuts back to his falsified point. But Leinster’s final sentence should have have read: “Because if  
 15 those experiment were successful, they could mean that everybody in the world in time would  
 16 become rich beyond envy.” [EXHIBIT A, pp 131, 132]

17 Leinster words showed hope that our future in space would make everyone rich beyond  
 18 envy. But for personal gain, and the gain of the Defendants, Rovin lied and altered Leinster’s work,  
 19 replacing Leinster’s optimism with cynicism –to make Leinster’s work seem more like Plaintiff’s.

#### 20 EXAMPLE II

21 In his report, Rovin’s false statements are so widespread, at times, he doesn’t even realize  
 22 when he’s plainly contradicting his other false statements, Compare EXAMPLE (A) and (B):

23 **EXAMPLE (A):** on page 45, paragraph 1 of his report, Mr. Rovin suggests getting to  
 24 Uberopolis is easy for Plaintiff’s hero, Arlo. Rovin writes: “Plaintiff’s hero, Arlo, easily passes  
 25 through customs and onto a shuttle to get to Uberopolis.”

26 **EXAMPLE (B):** six pages later, Mr. Rovin says the exact opposite, admitting Arlo needed  
 27 to SNEAK to Uberopolis and use FAKE IDs. Page 51, paragraph 2, of his report, concerning  
 28 Plaintiff’s *Butterfly Driver*, Rovin writes: “While the hero Arlo does need fake I.D. to sneak on to

Uberopolis, that is only because he is a fugitive.”

### EXAMPLE III

On page 46, paragraph 4 of Rovin's report, Rovin writes: "Murray Leinster's Space Platform (1953) presented the core elements that the plaintiff claims as proprietary – a space station that is resented by those who are not aboard, a base that not only represents wealth but is a fortified sanctuary removed from the threat of war hanging over the Earth:" (\*ignoring the fact that I, Plaintiff, never made this proprietary claim).

**IN TRUTH:** Mr. Rovin's statement is simply astonishing. In Leinster's *Space Platform* there is no "space station" that Rovin speaks of. There is no "base that represents wealth," which Rovin invents. Period.

Leinster's Space Platform is a sci-fi/adventure/mystery about a platform that is being built on a U.S. military base, on Earth. When the platform is completed it is going to be transported into space by rockets, to be the foundation of a future space station. **All of the action takes place on Earth. In the final 5 pages the platform is rocketed into space, as hero, Joe, and his friends watch from Earth. At no point in the story was the Platform ever manned. At no point was the platform ever a space station” that was “resented by those who are not aboard” (as Rovin invented) , since the platform is unmanned. Nor did the U.S. military base “represent wealth...” as Rovin claimed.**

#### EXAMPLE IV

Another of Rovin's inventions comes when Rovin just declares that my (Plaintiff) genetically reprogrammed villain, "Drexler", is NOT genetically reprogrammed at all –which is false, of course. Rovin either didn't understand the screenplay, or just chose to misstate it. Rovin states Plaintiff's villain only "...looks younger than he claims to be only as a secondary bi-product of this subterfuge." (p 72, para 1). Beyond his deceit, Plaintiff hopes the Court is also offended by Mr. Rovin's quote, which is plainly intended to confuse, as it contextually meaningless.

**IN TRUTH:** How Rovin arrives at this errant conclusion defies logic –particularly when one considers, even if we took away the fact that Plaintiff’s “Drexler” looks half his age, Drexler is still immensely strong (from the reprogramming). Additionally, the character *Jerry*

1      **Matthiessen confirms Drexler (Midland's) DNA had been reprogrammed in a DNA analysis**  
2      **(p 90, Butterfly Driver). And as Drexler prepares to kill Arlo, he reaffirms his genetic**  
3      **reprogramming when he plainly states, "I'm immortal." [page 99, Butterfly Driver]**

4                          **EXAMPLE V**

5      Mr. Rovin writes (on page 38 of his report, para 2): "In another example of separating rich  
6      from poor, the 2004 comic book Ministry of Space was set on a space station where blue collar  
7      people of color were segregated from white citizens."

8      **IN TRUTH: *Ministry of Space* was set primarily on Earth, with a few short excursion**  
9      **into space, primarily in rockets, but also to a lunar station and two quick excursions to space**  
10     **stations –but it was not set on a space station as Mr. Rovin dishonestly declares.**

11     **The insert picture Rovin uses to reinforce his point (p. 38 of his report) was taken from**  
12     **the last page and last panel of the comic. But Mr . Rovin has meticulously cut out the word**  
13     **"END" from his insert photo. This, so the Court wouldn't see he had taken the photo from the**  
14     **last page, last panel. He did this because he had falsely suggested the Space Station was the**  
15     **comic's primary setting, and using an insert from the last page, last panel would raise doubt about**  
16     **that false claim. But as seen in [Exhibit B] a side by side comparison of the panel from the actual**  
17     **graphic novel (top) and Rovin's insert (bottom), Rovin has cut the word "END".**

18                          **EXAMPLE VI**

19     Mr. Rovin cites his own work FOUR times in his report (page 19, 38, 48, 58). The most  
20     surprising of these self-citations occurs on page 58 of his report, when Mr. Rovin gives a false  
21     account of his book, "The Transgalactic Guide to Solar System M-17"—an extremely hard to find  
22     book, which ran only one printing, in 1981, on Perigee Books.

23     Page 58, para 1 of his report (concerning his book) Rovin writes: "For my own science  
24     fiction, The Transgalactic Guide to Solar System M-17, I created an exclusive space settlement that  
25     offers royal accommodations with advanced medical facilities for those who can afford them... "

26     **IN TRUTH: Mr. Rovin calls his swan-shaped spaceship "exclusive", to make Plaintiff's**  
27     **satellite city for the rich seem less unique. But Mr. Rovin's own description, from his book,**  
28     **confirms Rovin has mislead the Court, as his space swan is NOT exclusive. On page 28, para**

**4, Rovin writes:** “Space is for everyone. And Transgalactic works hard to make it as accessible as a trip to any city, park, resort, of your home world. ” [Exhibit C]. In the next paragraph (pp 28, 29, Exhibit C) Rovin shows the “Swan” is so unexclusive that only by committing a crime is one’s access restricted. Rovin writes: “MasterPass cards will not be issued to anyone who, within the previous three years, has been convicted of a crime involving artificial aging or a fine exceeding twenty-five Standards. ”

## EXAMPLE VII

Under the heading “A Hero Prone To Excruciating Headaches” (p 63-68) Rovin cites five works (all having no resemblance to the Plaintiff’s works, as the headaches are not recurring headaches originating in the hero’s own head). In three of Rovin’s examples the headaches are caused by external forces (a “disembodied brain”, “telepathic mutants”, and “anti-radiation shots”); the other two headache examples occur only once –and are not recurring affliction headaches.

But the issue here occurs on Page 66, para 1, where Rovin writes: “The comic book *Warp* (1983) is about an ordinary Earthman who is about to become a space hero (on a space habitat) and who suffers crushing headaches.” Mr. Rovin also provides an insert image of page 4 of the first issues of the comic series in which the character is having a terrible headache.

**IN TRUTH:** The comic *Warp* only ran 19 issues. Over the course of all 19 issues the main character, David Carson, has only one headache which occurs in the first issues (page 4-7) –although Rovin claimed this character suffers “headaches” –plural.

VIII

I will spare the Court the tedium of citing each of Rovin's many other false statements or dishonest manipulations of language. But the following few brief "for instances" are provided to confirm that many more examples abound in Rovin's report.

A) Rovin uses the inventive terminology “*stratospheric*” utopian city (p. 32) then “*stratospheric*” habitat (p.39) concerning two works that feature cities that float in the atmosphere a few hundred or thousand feet about their planets. Rovin omits the term “floating” and uses the term “*stratospheric*” hoping to induce the Court to conceive these cities as possibly orbiting in space (which they are not) much as Plaintiff’s satellite.

**IN TRUTH:** the most galling aspect of Rovin's deceitful language is BOTH of Rovin's examples show cities floating in fluffy clouds; yet, on Earth, clouds are found in the troposphere –not the stratosphere, as the stratosphere is too high.

1           B) Under the heading “The Satellite Serves as a Refuge For The Rich,” (p 32, para 2) Mr.  
2           Rovin observes that Christopher Stasheff’s novel *A Wizard in Bedlam* “features ‘a  
3           successful planetary colony –for the very rich.’”  
4           **IN TRUTH:** Stasheff’s *Wizard in Bedlam* was not about a space colony for the rich; it’s  
5           about a colony established by the disenfranchised “...people who were sick and tired of  
6           not being able to have things their own way” (p 19). Further the colony was set on a  
7           large planet –not a satellite or a space station, as Rovin’s heading requires.

5           C) Under the heading “The Satellite Serves as a Refuge For The Rich,” (p 30, para 3)::  
6           “...the space station is exclusively inhabited by the rich...” Mr. Rovin wrote,  
commenting on Jack Vance’s short story *Abercrombie Station*.

7           **IN TRUTH:** Abercrombie Station is not exclusively inhabited by the rich. In the short,  
8           Abercrombie Station is one of about 10 space station vacation resorts orbiting Earth.  
9           What makes Abercrombie Station unique is that it was a space resort for people who had  
stayed in space too long and had become obese and were attracted to other obese people.  
Wealth is not a requirement, corpulence is.

10          D) Mr. Rovin writes about Plaintiff’s screenplay: “By contrast, in Plaintiff’s screenplay,  
citizens enjoy ‘100 percent employment’ and ‘almost no crime’”. (p. 16, para 2)

11          **IN TRUTH:** in Plaintiff’s screenplay 65-95% of the world lives in impoverished  
12          “zones” (percentage varies depending on the script version). Only in the rich “State”  
13          areas do people enjoy 100% employment. In the poor “zones”, children beg in the  
streets; the government routinely dumps its undesirables in these “zones”, and kill  
masses of prisoners. All of this was shown, repeatedly, in Plaintiff’s script.

## **ROVIN REPORT PREMISED ON FALSELY CITING, ALTERING & FRAGMENTING**

### **PLAINTIFF COPYRIGHT CLAIMS**

17          Ideas are not copyrightable –but collections of ideas, or “expressions”, are copyrightable.

18          For each of the Plaintiff’s copyright claims Plaintiff detailed the unique aggregations of attributes  
19          that made his collection of ideas and features a copyrightable expressions.

20          Mr. Rovin divides his report into these 9 sections (\*Rovin’s sections headings mocks  
21          Plaintiff claim language, but have been altered to suit the Defendants’ objectives).

- 22          1) A Dystopian Earth With Income Inequalities;  
23          2) A Satellite Orbiting Earth;  
24          3) The Satellite Serves as a Refuge For The Rich;  
25          4) Special Identification For Entering The Satellite;  
26          5) Disparate Medical Resources On Earth And On The Satellite;  
6) The Protagonist Who Must travel To The satellite World For Medicine;  
7) A Hero Prone To Excruciating Headaches;  
8) A “Keepsake” Necklace;  
9) A Genetically Reprogrammed Villain.

27          **IN TRUTH: Rovin’s “sections” address simple ideas which have nothing to do with the**  
28          **complex, copyrightable aggregations Plaintiff claimed as his copyright in his Amended**

**Complaint. Thus, all the content in these nine sections (effectively the entire report) should be disqualified as INCOMPLETE and TAKEN OUT OF CONTEXT.**

**FALSE, INADMISSABLE CONTENT CITED THROUGHOUT ROVIN'S REPORT:**

Several of Rovin's cited works are not just wrongly cited, they are **NOT PRIOR WORKS**. On page 42 Mr. Rovin cites the film *WALL-E* (2008) and the video game *Mass Effect* (November 2007). The first four existing drafts of the Plaintiff's screenplay were completed three years prior, in 2005, and the final draft was completed August 2007 –all well before the release of *WALL-E* or *Mass Effect* –making these citations inadmissible.

#### **UNQUALIFIED "EXPERT" ROVIN MISINFORMS COURT OF SCÈNES À FAIRE**

Mr. Rovin provided wildly unfounded opinions concerning scènes à faire. These errant assertions were provided in bad faith (as an employee of the Defendants), or because he is not a copyright expert and is unqualified and ill-informed to opine in this arena, as he seems to have little grasp of the concept of “scènes à faire”.

Scènes à faire are simple, general scenes that one would expect to see in a film of a particular genre. In a western, one would expect to see general scenes of cowboys riding on the range, maybe a bar fight, or maybe a gunfight. In a science fiction genre film (set in space) you might expect to see nifty spaceships and rockets; or in an Earth-based sci-fi genre film one might expect to see interesting flying vehicles in an ultra-modern cityscape. General. Nothing specific.

While Merriam-Webster's defines *scènes à faire* as "obligatory scenes", Wikipedia provides a more thorough, accurate and appropriate copyright definition/explanation of "scènes à faire":

**Scène à faire** (French for "scene to be made" or "scene that must be done"; plural: *scènes à faire*) is a scene in a book or film which is almost obligatory for a genre of its type. In the U.S. it also refers to a principle in copyright law in which certain elements of a creative work are held to be not protected when they are mandated by or customary to the genre.

For example, a spy novel is expected to contain elements such as numbered Swiss bank accounts, a femme fatale, and various spy gadgets hidden in wristwatches, belts, shoes, and other personal effects. These elements are not protected by copyright, though specific sequences and compositions of them can be.

-Wikipedia:

Rovin dismantled small pieces of Plaintiff's massive claims, then wildly assured the Court the new, bite-sized aspects were scènes à faire. But In both instance Rovin was wrong and absurd.

**Example 1:** page 46, line 15, Rovin claims as scènes à faire the “idea of people trying to

1 **sneak onto a space habitat” –which is also exclusively for the rich.**

2       IN TRUTH: Rovin’s example (concerning Plaintiff’s work) is a very specific plot structure,  
3 and not at all scènes à faire, as no reasonable person would expect that a typical sci-fi film contain a  
4 scene in which people attempt to sneak onto a space habitat for the rich.

5       **Example 2: page 73 line 6, Rovin states plainly: “Any elements the works of Plaintiff  
6 and Defendants happen to share are scènes à faire...”**

7       **IN TRUTH:** Mr. Rovin’s statement is absurd. I, Plaintiff, alleged dozens and dozens of  
8 instances of infringement in the Amended Complaint. Most of these claims are composite, complex  
9 claims involving specific plot structures, character details, etc. All of which, BY DEFINITION, are  
10 not scènes à faire. Yet, Rovin brazenly instructs the Court that all of these claims are scènes à faire.

11       Let’s ignore Plaintiff’s complex and countless copyright claims and focus just on the nine  
12 simple aspects Rovin extricated and modified, which are: 1) A Dystopian Earth With Income  
13 Inequalities; 2) A Satellite Orbiting Earth; 3) The Satellite Serves as a Refuge For The Rich; 4)  
14 Special Identification For Entering The Satellite; 5) Disparate Medical Resources On Earth And On  
15 The Satellite; 6) The Protagonist Who Must travel To The Satellite World For Medicine; 7) A Hero  
16 Prone To Excruciating Headaches; 8) A “Keepsake” Necklace; and 9) A Genetically  
17 Reprogrammed Villain. Once the definition of scènes à faire is understood, we see that NONE of  
18 Mr. Rovin’s nine section headings are scènes à faire, as Rovin claimed –as no reasonable person  
19 would expect to find any of those aspects in the typical science fiction film –as they are not general  
20 “scenes”, they are specific plot structures that would alter or dictate a film’s entire plot.

21                   **MR. ROVIN’S LACK OF QUALIFICATIONS**

22       1. MR. ROVIN IS NOT A COPYRIGHT EXPERT.

23       Mr. Rovin has interesting comics and literature credentials, but has no background in  
24 copyright IP or copyright law, making him ill-suited to opine on an infringement case.

25       2. MR. ROVIN IS ESSENTIALLY UNEDUCATED.

26       A typical EXPERT witness in a copyright matter would be a copyright or intellectual  
27 property attorney. This usually means many years of college and law school. Yet, Mr. Rovin  
28 seemingly has no formal education beyond high school (p. 3, 4 of his report).

### 3. MR. ROVIN FALSIFIED AND MISSTATED HIS QUALIFICATIONS.

Among other inflated claims, Mr. Rovin claims to have “created” the short-lived comic company, *Atlas Comics*, 1974-75. This claim is also fraudulent. On page 3, para 2, line 11 and 12, Rovin states: “My magazine publications include creating and editing the Atlas Comics line – several titles of which...”. But, in fact, *Atlas Comics* was created by Martin Goodman. Wikipedia provides some details of Altas’ creation (including the following quote from Jeff Rovin himself):

Goodman hired Warren Publishing veteran Jeff Rovin to edit the color comic-book line, and writer-artist Larry Lieber, brother of Marvel editor-in-chief Stan Lee, as editor of Atlas' black-and-white comics magazines.

Rovin said in 1987 he became involved after answering an ad in The New York Times. "I was working for Jim Warren, running his mail-order division, Captain Company, and just starting to edit Creepy [and] I'd edited comics for DC and Skywald.... Several weeks after answering the ad, I receive a call from Martin Goodman.... I was one of several people Martin interviewed, and I got the job because I'd had experience not only in comics but in mail order, the latter of which was to contribute significantly to Seaboard's cash flow. Sharing editorial duties on the comics was writer artist Larry Lieber, whom Martin had long wanted to transplant from under the shadow of Larry's brother.... Larry ended up handling about a quarter of

Atlas' output—primarily the police, Western [and] war [comics], and color anthologies of horror stories.

Lieber later became editor of the color comics following Rovin's departure.

-From Wikipedia ([http://en.wikipedia.org/wiki/Atlas/Seaboard\\_Comics](http://en.wikipedia.org/wiki/Atlas/Seaboard_Comics))

## **CONCLUSION**

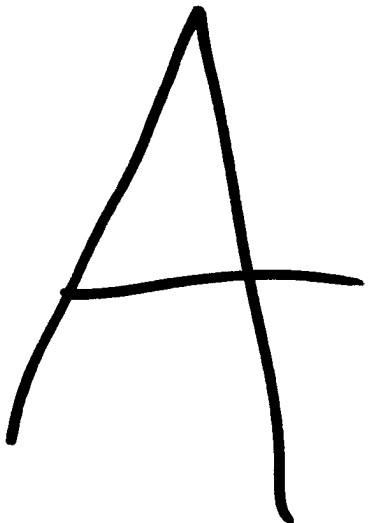
For the foregoing reasons, Plaintiff respectfully requests the Court disqualify THE EXPERT REPORT OF JEFF ROVIN and disqualify Mr. Rovin as a witness in this matter due to his willful submission of false and fraudulent information, fabricating evidence purporting to substantiate his claims against Plaintiff's, altering the works of –and falsely citing the works of– numerous writers and artists, misstating his qualifications, and his lack of credentials to qualify as an expert. The court is authorized to intervene under F.R.C.P. Rule 11, the Inherent Powers Doctrine.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
this 12<sup>th</sup> day of June, 2014.

Respectfully Submitted By:

Steve Wilson Briggs  
681 Edna Way  
San Mateo, CA 94402  
Plaintiff, Pro Se

Exhibit



after what happened up at the lake, I mustn't. Would you like to go up to the top of the Shed?"

"If you want to," he agreed without enthusiasm.

He followed when she went to a doorway—with a security guard beside it—in the sidewall. She flashed her pass and the guard let them through. They began to walk up an inclined, endless, curving ramp. It was between the inner and outer skins of the Shed. There had to be two skins because the Shed was too big to be ventilated properly, and the hot desert sunshine on one side would have made "weather" inside. There'd have been a convection-current motion of the air in the enclosed space, and minor whirlwinds, and there could even be miniature thunderclouds and lightning. Joe remembered reading that such things had happened in a shed built for Zeppelins before he was born.

They came upon an open gallery, and there was a security man looking down at the floor and the Platform. He had a very good view of all that went on.

They went around another long circuit of the slanting gallery, dimly lighted with small electric bulbs. They came to a second gallery, and saw the Platform again. There was another guard here.

They were halfway up the globular wall now, and were visibly suspended over emptiness. The view of the Platform was impressive. There were an astonishing number of rocket tubes being fastened to the outside of that huge object. Three giant cranes, working together, hoisted a tube to the last remaining level of scaffolding, and men swarmed on it and fastened it to the swelling hull. As soon as it was fast, other men hurried into it with the white pasty stuff to line it from end to end. The tubes would nearly hide the structure they were designed to propel. But they'd all be burned away when it reached its destination.

"Wonderful, isn't it?" asked Sally hopefully. Joe looked, and said without warmth, "It's the most wonderful thing that anybody ever even tried to do."

Which was true enough, but the zest of it had unreason-

ably departed for Joe for the time being. His disappointment was new.

Halfway around again, Sally opened a door, and Joe was almost surprised out of his lethargy. Here was a watching post on the outside of the monstrous half-globe. There were two guards here, with fifty-caliber machine guns under canvas hoods. Their duties were tedious but necessary. They watched the desert. From this height it stretched out for miles, and Bootstrap could be seen as a series of white specks far away with hills behind it.

Ultimately Sally and Joe came to the very top of the Shed into the open air. From here the steep plating curved down and away in every direction. The sunshine was savagely bright and shining, but there was a breeze. And here there was a considerable expanse fenced in—almost an acre, it seemed. There were metal-walled small buildings with innumerable antennae of every possible shape for the reception of every conceivable wave length. There were three radar bowl reflectors turning restlessly to scan the horizon, and a fourth which went back and forth, revolving, to scan the sky itself. Sally told Joe that in the very middle—where there was a shed with a domelike roof which wasn't metal—there was a wave-guide radar that could spot a plane within three feet vertically, and horizontally at a distance of thirty miles, with greater distances in proportion.

There were guns down in pits so their muzzles wouldn't interfere with the radar. There were enough non-recoil anti-aircraft guns to defend the Shed against anything one could imagine.

"And there are jet planes overhead too," said Sally. "Dad asked to have them reinforced, and two new wings of jet fighters landed yesterday at a field somewhere over yonder. There are plenty of guards!"

The Platform was guarded as no object in all history had ever been guarded. It was ironic that it had to be protected so, because it was actually the only hope of escape from atomic war. But that was why some people hated the Platform, and their hatred had made it seem obviously an item

132

*Space Platform*

of national defense. Ironically that was the reason the money had been provided for its construction. But the greatest irony of all was that its most probable immediate usefulness would be the help it would give in making nuclear experiments that weren't safe enough to make on Earth.

That was pure irony. Because if those experiments were successful, they should mean that everybody in the world would in time become rich beyond envy.

But Joe couldn't react to the fact. He was drained and empty of emotion because his job was done and he'd lost a very flimsy hope to be one of the Platform's first crew.

He didn't really feel better until late that night, when suddenly he realized that life was real and life was earnest, because a panting man was trying to strangle Joe with his bare hands. Joe was hampered in his self-defense because a large number of battling figures trampled over him and his antagonist together. They were underneath the Platform, and Joe expected to be blown to bits any second.

**II**

*Joe sat on the porch of Major Holt's quarters* in the area next to the Shed. It was about eight-thirty, and dark, but there was a moon. And Joe had come to realize that his personal disappointment was only his personal disappointment, and that he hadn't any right to make a nuisance of himself about it. Therefore he didn't talk about the thing nearest in his mind, but something else that was next nearest or farther away still. Yet, with the Shed filling up a full quarter of the sky, and a gibbous moon new-risen from the horizon, it was not natural for a young man like Joe to speak purely of earthly things.

"It'll come," he said yearningly, staring at the moon. "If the Platform gets up day after tomorrow, it's going to take time to ferry up the equipment it ought to have. But still, somebody ought to land on the moon before too long."

He added absently: "Once the Platform is fully equipped, it won't take many rocket pay loads to refill a ship's tanks at the Platform, before it can head on out."

Mathematically, a rocket ship that could leave the Platform with full fuel tanks should have fuel to reach the moon and land on it, and take off again and return to the Platform. The mathematical fact had a peculiar nagging flavor. When a dream is subjected to statistical analysis and the report is in its favor, a dreamer's satisfaction is always diluted by a subconscious feeling that the report is only part of the dream. Everybody worries a little when a cherished dream shows a likelihood of coming true. Some people take firm steps to stop things right there, so a romantic daydream won't be spoiled by transmutation into prosaic fact. But Joe said doggedly: "Twenty ferry trips to pile up fuel, and the twenty-

Exhibit

B

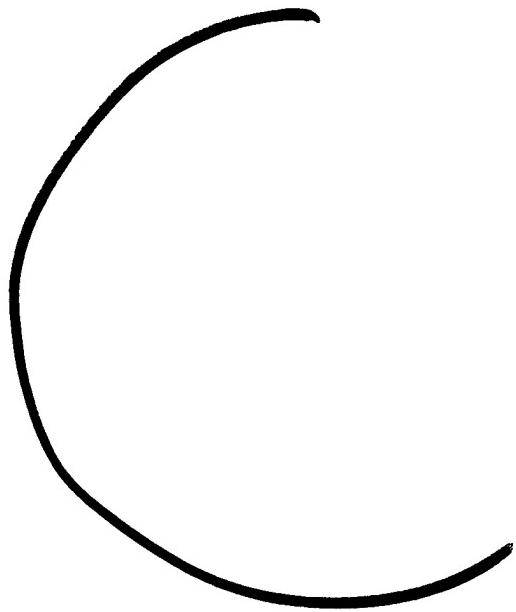


END



EXHIBIT 39

Exhibit



verability. However, because it does not travel through space or at mach speeds, we were able to give the fifteen-ton vessel transparent Corning-ITT-manufactured siding. The result is a panoramic view of whatever terrain you are visiting, a truly breathtaking way to see any world. There is one pilot and one guide per Shuttle Bus, a seat computer and tray, and closer quarters, since the ship has been built compactly for easier piloting through tight spots. However, its small size makes for more personal contact with your guide.

**Other Vessels.** The scientists and tour employees who work and live on the worlds of M-17 have a wide variety of transports at their disposal. These include one-, two-, or three-person skyflitters and orbiters, atomic moles that burrow beneath the surface, multishuttles that fly as one unit in space but can be broken into two or four smaller probes once they've entered a planet's lower atmosphere, space disks for fast interplanetary travel, and a battery of land vehicles. Most of these are geared for ruggedness rather than comfort, and while you may see them going about their business, you will never have to ride in one.

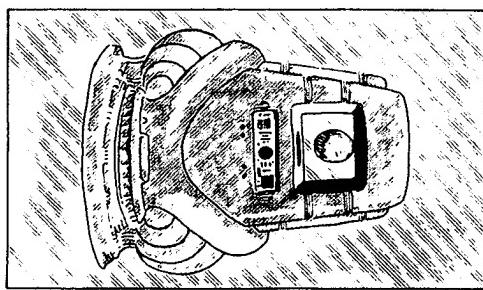
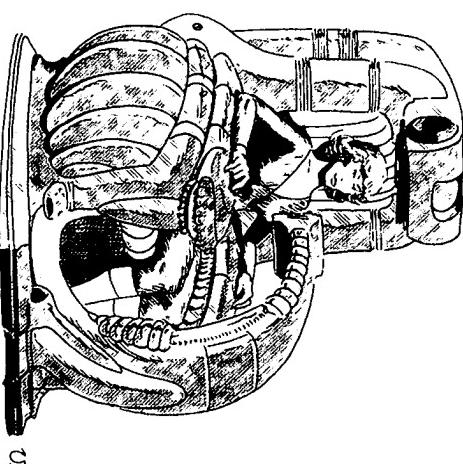
On the other hand, since Transgalactic encourages everyone to participate in our tours, from the very young to the young in spirit no matter what their age, we equip all of our vehicles with Automeds, the Warner-Cadence Corporation's portable health machine. If someone should have the misfortune to fall ill during a tour, the Automed will maintain that person's bodily functions until a Rescue Vessel arrives. There are between ten and twenty such aide ships stationed at different points on every world. All of our hotels have at least one Supermed Incorporated "Minihospital" and a human physician in residence. Transgalactic feels that you will enjoy your tour more if your mind is completely at ease. Rest assured that because people are not perfect, we must be.

#### ENTRY REGULATIONS AND CUSTOMS RESTRICTIONS

Space is for everyone, and Transgalactic works hard to make it as accessible as a trip to any city, park, or resort on your home world. However, as with intraplanetary travel, there are sundry entry requirements. Listed herewith, they are rigidly enforced.

Most of the worlds in M-17 ask only that you present a MasterPass card for admittance, a computer card that is a combination visa and general ID. MasterPass cards are available through any Transgalactic agent or from the Bureau of Space Travel (BST). The initial fee is ten Standards, and the card is renewable annually at the rate of three Standards. A late payment automatically invalidates [MasterPass, and no one is permitted into a spaceport boarding area without one. MasterPass cards

An Orbiter Bus seat, with computer console in front of the passenger; the holovision and CRT computer screen are located in the back of the preceding seat, along with a slide out, fold-down tray.



will not be issued to anyone who, within the previous three years, has been convicted of a crime involving artificial aging or a fine exceeding twenty-five Standards. Transgalactic services families, not felons. Although your travel agent will alert you to particulars, be advised that some worlds in M-17 have additional entry requirements. To avoid last-minute arrangements at the terminal, be certain that all of your data records are in order.

As with BST regulations, restrictions regarding customs are among the most stringently enforced in the universe. While they vary from world to world, the general limitations are as follows. Consumable goods such as narcotics, liquor, and food may not leave the planet you are visiting, nor may they be carried to any world from your Star Cruiser. However, within a 600 vertical mile limit of wherever they are purchased, you may buy and use unlimited amounts of such items. Nonconsumables such as souvenirs, microfilm novels, and clothing may be taken beyond 600 miles of their point of purchase providing that their value does not exceed fifty Standards. In addition, you may have twenty-five Standards worth of nonconsumables shipped to your home by Universal Post—delivery takes from one to two weeks—or you may purchase over 200 and under 350 Standards worth of such goods and have them all shipped to your home. In either case, there is a tax of twenty percent on any nonconsum-

**PROOF OF SERVICE**

This is to certify that on this 12<sup>th</sup> day of June, 2014,

I, Steve Wilson Briggs,

served, by way of U.S. mail, true copies of the documents described as

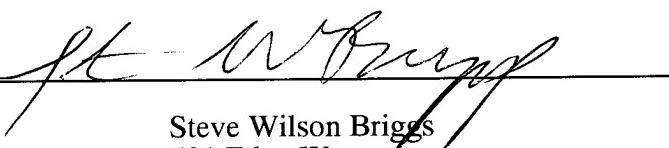
**"NOTICE OF MOTION AND MOTION TO DISQUALIFY EXPERT REPORT OF JEFF ROVIN; MOMORANDUM AND POINTS AND AUTHORITIES IN SUPPORT THEREOF,"** and **"[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO DISQUALIFY EXPERT REPORT OF JEFF ROVIN,"** and **"NOTICE OF MOTION AND MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT,"** and **"[PROPOSED] ORDER GRANTING PLAINTIFF LEAVE TO FILE SECOND AMENDED COMPLAINT,"** and **"AMENDED REBUTTAL TO DEFENDANTS' EXPERT REPORT OF JEFF ROVIN,"** and **"CORRECTION,"**

on the interested parties below:

Michael J. Kump, and Gregory P. Korn  
(of Kinsella, Weitzman, Iser, Kump & Aldisert)  
808 Wilshire Boulevard, 3rd Floor  
Santa Monica, California, 90401  
310 566 9800

Executed on this 12<sup>th</sup> day of June, 2014

By,

  
Steve Wilson Briggs  
681 Edna Way  
San Mateo, CA 94402  
Plaintiff, Pro Se